



Northern Ireland  
Assembly

**OFFICIAL REPORT**  
(Hansard)  
and  
**JOURNAL OF  
PROCEEDINGS**

**Volume 86**  
(10 June 2013 to 7 July 2013)

BELFAST: THE STATIONERY OFFICE LTD  
£70.00



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Ó hOisín, Cathal (East Londonderry)  
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Minister for Social Development.....	Mr Nelson McCausland
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Minister of Education .....	Mr John O'Dowd
Minister of Enterprise, Trade and Investment.....	Mrs Arlene Foster
Minister of the Environment.....	Mr Alex Attwood
Minister of Finance and Personnel .....	Mr Simon Hamilton ( <i>from 29 June 2013</i> ) Mr Sammy Wilson ( <i>to 29 June 2013</i> )
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Minister of Justice.....	Mr David Ford

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Office of the First Minister and deputy First Minister .....	Mr Jonathan Bell Ms Jennifer McCann
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# Official Report (Hansard)



# Assembly Sitings





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# Northern Ireland Assembly

**Monday 10 June 2013**

*The Assembly met at 12.00 noon (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Principal Deputy Speaker:** I would like to notify Members that the Minister of Agriculture and Rural Development has written to the Speaker to advise that she is unwell and is unable to attend the House today, so the statement on the North/South Ministerial Council meeting in aquaculture and marine sectoral format will be rescheduled, and junior Minister McCann will respond to the motion later today on the farm inspections process 2013 on Minister O'Neill's behalf.

## Executive Committee Business

### Suspension of Standing Orders

**Mr Principal Deputy Speaker:** I call the Minister for Social Development to move the motion on behalf of the Minister of Finance and Personnel.

**Mr McCausland (The Minister for Social Development):**  
I beg to move

*That Standing Orders 10(2) to 10(4) be suspended for 10 June 2013.*

**Mr Principal Deputy Speaker:** Before I proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Orders 10(2) to 10(4) be suspended for 10 June 2013.*

## Ministerial Statement

### Housing Executive: Maintenance Contracts

**Mr McCausland (The Minister for Social Development):**

With your permission, Mr Principal Deputy Speaker, I wish to make a statement in relation to the Northern Ireland Housing Executive and the management of maintenance contracts.

It was just this time last year that I made a statement here in the Assembly in relation to the Housing Executive's management of response maintenance contracts. At that time, I advised of the long track record of concerns about the Housing Executive's contract management regime and how, on taking up my post, I had expressed my significant concerns about the issues surrounding its management of contracts. In fact, so great were my concerns that I asked for a forensic investigation to be carried out of a sample of Housing Executive response maintenance contracts to provide me with assurances on the contracts, the quality of services to tenants and the proper use of public funds.

The findings in the ASM report unfortunately proved that my concerns were exactly right. The findings and the evidence in the report clearly demonstrated to me that there were considerable issues and shortcomings in relation to the Housing Executive's management of response maintenance contracts. The report's key findings covered quality of workmanship; invoices submitted by contractors; completion of work on a timely basis; NIHE inspections; ability to recover overcharging; and duplicate schedule of rates codes.

Many examples in the report point to poor workmanship and poor contract management by the Housing Executive, which indicates clearly to me that tenants are not getting the services that are expected or being paid for by the taxpayer. The report covered six response maintenance contractors and followed on from the failings identified in Red Sky. The companies were Omega, PK Murphy, MDC, Carillion, Leeway Maintain and H&A Mechanical.

Again, at the time of my previous statement, I advised that the Northern Ireland Audit Office, following significant concerns raised by whistle-blowers, MLAs and the media, had also decided to examine the Housing Executive's management of response maintenance contracts in view of the seriousness of the problems identified in the management of specific contracts. That report supported the work that my Department had undertaken and pointed to the fact that the Housing Executive's own management systems were demonstrating the weakness of its management of those contracts. You will all be aware that that report was the subject of a hearing at the Public Accounts Committee on 5 September 2012. The Committee's report, which was damning, was published on 20 March 2013, and the memorandum of reply was laid in the Assembly on 24 May 2013.

Taking account of all the factors together at that time, I advised that I believed that the Housing Executive, as an organisation, had failed to demonstrate the required response to known shortfalls in contract management, either in a manner that recognised the importance and significance of these issues or which demonstrated an unequivocal determination to address these matters with the necessary pace and urgency that anyone would, rightly, expect. Therefore, in July last year, I took

the unusual step of introducing special accountability measures to bring about improvements efficiently and effectively and to enhance significantly the current oversight arrangements between my Department and the Housing Executive. I also advised then that I had to assume that the types of problems evident in the management of response maintenance contracts could also be evident in the way in which the Housing Executive managed its other contracts, such as planned maintenance contracts. I can assure you now that it gives me no pleasure to advise that, once again, I was, in fact, correct in my assumptions. Indeed, what the new chairman of the Housing Executive has discovered in his first six months in regard to planned maintenance is of such a scale that the issues of response maintenance pale into insignificance by comparison.

You will be aware of the statement by the chairman of the Housing Executive this morning on the level of overpayments to planned maintenance contractors. In his statement, he said that, when he took up office in November 2012 and was briefed on the Housing Executive's management of maintenance contracts by me, he requested a comprehensive investigation by the chief executive into those matters. He also said that the board considered the findings at its May meeting. The findings are extremely disappointing, given the scrutiny that the organisation is already under for its management of response maintenance contracts, and I totally concur with this.

The figure is estimated to be some £18 million. Let me say that again in case you think that you have misheard: £18 million in overpayments to four contractors. I have been advised by the Housing Executive that the four contractors are PK Murphy, Bann, Mascott and Dixons. I am sure that you, like me, are astounded at that amount and wonder at the level of incompetence in the Housing Executive that led to that state of affairs. The scale of what has been uncovered has been a scandal. Let us not forget that this is taxpayers' money that could have been used to build around 200 much-needed social homes.

How did this happen? I can still recall the assurances that the former chairman, Brian Rowntree, gave me last year in relation to contract monitoring arrangements and the assurances he gave me that, during his tenure, significant progress had been achieved in dealing with the contract issues. Those emphatic assurances from Mr Rowntree — verbal and written — were useless; they were not worth the paper they were written on.

When I said last year that the Housing Executive as an organisation had failed to date to demonstrate the required response to known shortfalls in contract management, I also advised that I had major concerns about the culture in the organisation and the level of aspiration in the Housing Executive to deliver a quality service to tenants regardless of cost and contracts. For me, that is clearly still the position in that organisation.

How was this allowed to happen in the first place and then continue? Why has the appropriate action not been taken to identify the issues and weaknesses and to address them, to effect the change required? Are the problems evident in any further areas of contract management; for example, heating or grounds maintenance?

The recent PAC report on 20 March points to one reason when it recorded that the Committee was shocked at the attempts by the Housing Executive management to suppress internal audit reports. Indeed, the PAC even found evidence that the Housing Executive management exerted pressure to have audit opinions watered down. It referred to a culture of stifling any form of criticism and called it "institutional resistance": I have to agree with that phrase. The PAC advised that a key attribute of a mature and open organisation is that, where mistakes are made, they are recognised and improvements are made as a result. That did not happen in the Housing Executive.

So what am I going to do about it? As I said, I introduced my special measures last year, which include a monthly accountability meeting between my permanent secretary and the Housing Executive's chief executive where the position on these and other key issues is reported. The Housing Executive has advised in its regular reports that a number of special measures actions have been completed. My permanent secretary therefore has already instigated a further governance review by my Department's head of internal audit to assess the outcome of the implementation of the recommendations of the Housing Executive governance review in 2010, the special accountability measures and the ASM recommendations. It will also look at the lessons learned by the Housing Executive in respect of the management of response maintenance and the extent to which they have been applied to the management of planned maintenance contracts. A report is expected from the team later in the summer.

#### 12.15 pm

Terms of reference have also been developed for the work by DFP's performance and efficiency delivery unit (PEDU), which will support the internal audit team. The focus of PEDU's work will be on the contract management processes. I have recently sent the terms of reference for this work to Minister Wilson to agree. My officials have also been reviewing the oversight arrangements in place, including the update of the management statement and financial memorandum between my Department and the Housing Executive. My permanent secretary has also just written to the chairman to advise him of additional actions to be put in place by my officials.

More importantly in tackling these issues, I have appointed a new chairman, Donald Hoodless, who has taken on an incredibly difficult job but is determined to put in place clear governance and assurance systems and to tackle the issues and make the organisational changes that are required to bring this organisation into line and to ensure that appropriate services are delivered to tenants along with value for public money. That is what my priority has always been. Since his appointment, I have been meeting the new chairman monthly, along with the new vice-chair, to discuss key issues of concern. He has already demonstrated to me, both in words and actions, that he has the required leadership for the Housing Executive board that has been lacking in the past, and I am fully supportive of the actions he has taken to date.

I also have to factor in the implementation of the fundamental review of the Housing Executive — the social housing reform programme — which will result in a new social landlord body or bodies with a similar function to the housing associations. The outcome will be that such

bodies will be subject to the same inspection regime as the existing housing associations. As part of its preparations for the review, the Housing Executive board has decided to begin the process of reorganising the Housing Executive into two key entities: the landlord function and the regional strategic function.

Concerns that my officials and I have about contract management arrangements in the Housing Executive are well documented and have been evidenced by a substantial enhancement of the accountability arrangements between the two bodies. In view of the continuing accountability issues, my permanent secretary and I consider that the time is ripe to rethink the whole process of obtaining assurance on contract management and other landlord functions. I therefore believe that it may now be appropriate to introduce an inspection regime to the landlord function of the Housing Executive, and I have instructed my officials to proceed with the necessary arrangements. There are two main advantages with such a proposal: namely that an inspection regime similar to that currently in existence for the housing associations will greatly improve the level of assurance that my accounting officer will receive on the landlord function and that the Housing Executive will have the benefit of experiencing and acclimatising to an inspection regime that it will be subject to post the review.

The position that the Housing Executive finds itself in now in relation to its management of contracts is totally indefensible and will not be tolerated any further. Change must happen and happen quickly and correctly. Whilst we need to look to the future, we must also identify the weaknesses and the mistakes of the past in order to learn, to change and to make sure we do not find the organisation in this position ever again. I do not underestimate the size of the task ahead, both in my Department's oversight of the Housing Executive and the work that is required from the board of the Housing Executive, but there will be no shortcuts to making sure that there are significant changes in the Housing Executive.

What has happened in the past must not happen in the future. As yet, it is not clear whether what has taken place in the past is a result of incredible incompetence or wilful corruption. Time will tell. I will support the chairman in the work ahead, but this is a major challenge to the board to show the required leadership, drive and determination to deal with these issues and begin to effect change now.

**Mr Brady (The Deputy Chairperson of the Committee for Social Development):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement. Anyone who hears those figures — £18 million of overpayments to four contractors — will be astounded. Frankly, it beggars belief. Without being prejudicial, this is either incompetence on a scale never seen before or something more serious with potential legal implications. As the Minister said, this is public money that could have been directed towards the building of social housing to address our long waiting lists rather than lining the pockets of others.

I am pleased to note that the Minister is taking further action to address governance issues, including those relating specifically to contract management. However, in the wider context of social housing reform, we must all maintain a cool head. I am sure that the Committee will

wish to engage with the Department and the Housing Executive on the decision to begin the process of reorganisation of the Housing Executive into the landlord function and the regional strategic function. We should not conflate the future reform of the Housing Executive and the current problems with overpayments to contractors. Change in contract management —

**Mr Principal Deputy Speaker:** Bring your remarks to a close. You need to come to a question.

**Mr Brady:** Change in relation to the reform of social housing must be given detailed consideration before decisions are taken. Therefore, I urge the Minister to consider that as we move forward together with social housing reform.

**Mr Principal Deputy Speaker:** Did the Member have a question? Did I rush him past one? We were waiting for a question.

**Mr Brady:** No.

**Ms P Bradley:** I thank the Minister for his quite shocking statement today. Minister, do you have confidence in the current senior management team in the Housing Executive?

**Mr McCausland:** When we look at the scale of what has been disclosed today and the fact that the situation prevailed over a number of years, it is clear that the senior management team has questions to answer. We need to remember that the senior management team is initially answerable directly to the chair and the board. I am sure that they will put those questions to the senior management team.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his statement. It certainly made for shocking listening and reading. The Minister said:

*“As yet, it is not clear whether what has taken place ... is a result of incredible incompetence or wilful corruption.”*

Does the Minister believe that, potentially, corruption is at play? If so, is he confident that he can identify it and eradicate it?

**Mr McCausland:** In a situation in which there were overpayments of £18 million, it is clear that there are only two possible options. They are the two options that I identified quite a long time ago in this very Chamber: either people were not doing their job properly in checking and managing — the management of contracts should be a priority in the Housing Executive — and work was being done incompetently or people were simply not bothering to do their job, or, on the other hand, there was something more sinister than that. Those are the only two options. There is an old saying that somebody is either a fool or a knave; either they do something because of stupidity and incompetence, or there is something untoward behind it. Time will tell; we just do not know at present. However, I assure the Member and the House that I am determined to get to the bottom of this. I very much sense the same desire on the part of those now in charge in the Housing Executive: the chair, the vice-chair and the board also want to get to the bottom of this. This situation should not be tolerated; it is totally unacceptable. That is why I used the word “scandal”. It is a scandal.

**Mr Swann:** Does the Minister agree that the culture and structure of Egan contracts allowed these abuses and malpractices to happen? Is it time to completely remove Egan contracts from the Northern Ireland Housing Executive?

**Mr McCausland:** I thought that the Member would have been aware that we have moved forward with new contracts. However, I do not think that we can simply put it down to the contracts or whatever. There was clearly something of a culture endemic in the organisation. This was systemic in the Housing Executive. In due course, Members will come to their own conclusions, and, in due course, the evidence of the exact nature of what that was will appear. However, there was something very badly wrong in that organisation. I think that it was clearly wrong at a number of levels, because of the extent of it; it was not restricted to one small part of the organisation. We are talking about £18 million of overpayments, so it was very widespread. As I indicated, a number of contractors were involved in receiving overpayments. If there are only four contractors and £18 million, you are talking about very large amounts per contractor.

**Mr Campbell:** When a Minister comes to the Assembly and makes a statement of this magnitude, it obviously indicates that something is significantly and seriously wrong. The Minister alluded to heating or grounds maintenance: will he indicate whether serious investigations have taken place to see whether there are further causes for concern in those contracts?

**Mr McCausland:** Work is moving forward on other fronts. We started off with response maintenance and moved on to planned maintenance. Now, other areas need to be explored.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement to the House, although a lot of it does not make good reading. Part of my question is about what has been done to claw back the money that has been paid out.

There has been a serious problem, not only in the maintenance end of the Housing Executive. Minister, your predecessors and you, during the Red Sky scandal, said that there were serious problems. Will the Minister tell us why he did not act back then when he knew through Red Sky that there were serious problems to implement the sort of measures that he is now —

**Mr Principal Deputy Speaker:** The Member knows that he has one question.

**Mr McCausland:** I did act, and I came in for criticism from some people because I acted.

At the time, I asked, “If there is an issue with a contractor and we are taking contracts away from that contractor and giving them to adjacent contractors” — as we did — “have we an assurance that those adjacent contractors are not in any way responsible for or guilty of the same sort of things that were happening with Red Sky?”. That was the ASM report. As I said, that report revealed that there were problems not just with one company but with a range of companies. It investigated the adjacent companies to which the Red Sky contracts were then given. It was right that we looked at that to see what was going on and whether we were simply taking a contract from one

company and giving it to another that was doing a similar thing. Why would you do that?

I remind the Member that, as I pointed out in the statement, at that point, I sought an assurance from the then chairman of the Housing Executive, Brian Rowntree, that the companies to which the contracts were awarded after they had gone from Red Sky had no questions over them. He gave me assurances verbally and in writing.

As I said, the assurances were not worth the paper that they were written on.

**12.30 pm**

**Ms Brown:** I thank the Minister for his statement. Does he support and, indeed, encourage the practice of whistle-blowing in his Department, particularly given the serious nature of his statement?

**Mr McCausland:** Yes. When people are aware of things that are being taken forward in an improper manner, or that there is impropriety in an organisation, it is right and proper to highlight them. That is a good thing, which I certainly stand over.

**Mr Byrne:** I thank the Minister for his statement, which is alarming and many years overdue. Does the Minister agree that there is legacy of the paramilitary campaigns being used as a factor in determining excess pricing in contracts here? Does he further accept that it is dangerous to have a select tendering process —

**Mr Principal Deputy Speaker:** Members know that they have to restrict themselves to one question.

**Mr Byrne:** — that cuts out many contractors. Good professional firms believe that something untoward is happening —

**Mr Principal Deputy Speaker:** I call the Minister.

**Mr McCausland:** The issue about Housing Executive contracts is not new:

*“Housing Executive Board Shaken By Contracts Report ... Report recommended that the system of contracts should be changed”.*

That was a headline in ‘The Belfast Telegraph’ on 2 May 1978. More than 30 years ago, there were issues about Housing Executive contracts; it is not new.

We have clearly identified that the scale and scope of this is £18 million. Bear in mind that that £18 million is not spread evenly. I understand that, in the case of one of the contractors, the highest amount overpaid was in the region of £8.9 million. That is the scale of it. Whatever arguments, analysis, scrutiny or views people may hold, the first thing is to get to grips with the scale of this. We will now take forward the work, and I have every confidence in the chairman and vice-chair of the Housing Executive. Their arrival has transformed the relationship with the Department to a position where there is openness and transparency. We will be able to move forward and to tackle these issues. However, there is certainly something badly wrong within the Housing Executive and in the whole management of maintenance contracts.

**Mr Principal Deputy Speaker:** I remind Members to ask one question only, in fairness to other Members who wish to ask a question.

**Mr Copeland:** Thank you, Mr Principal Deputy Speaker, for that timely reminder. Minister, I, too, thank you for bringing the statement to the House. It must have been quite difficult, given the scale of what is involved. For the purposes of the statement, what constitutes an overpayment?

**Mr McCausland:** I would have thought, with respect, that the word is fairly self-explanatory. An overpayment is a payment over and beyond the correct payment for a particular job. The nature of the contracts being what they are, there will be different forms of overpayment, which takes us into the fine detail of how all this arose. That is the sort of thing that will now have to be teased out by the Housing Executive and, indeed, by an independent review.

We are taking forward an independent review of this and it will be looked at in some detail. The ASM report, for example, looked into overpayments in regard to response maintenance. A look at the nature of the problems showed that it took various forms. It might have been somebody charging for something that they had not done; somebody tending to charge too much for something that they had done; or somebody charging for something that they said they had done but had not. Overpayments can arise in a range of ways.

**Mr Douglas:** I thank the Minister for his statement. The overpayments that he mentioned are, quite frankly, on a startling scale. Will he confirm that the company that replaced Red Sky is one of the worst offenders, to the extent that it dwarfs any concerns involving Red Sky?

**Mr McCausland:** The Member will be aware, as indeed other Members will be aware, of the company from which the contracts were taken by the Housing Executive and given to after they were taken from Red Sky. Yes, that company is one of the companies that featured quite significantly in my statement this morning.

**Mr Kinahan:** I thank the Minister for his statement. I think that we are all shocked by the scale of this blatant disregard for public money. With regard to the overpayment of £18 million to the four contractors, will the Minister detail what steps have been taken to start the process of clawing the money back and whether he actually believes that we can get that money back?

**Mr McCausland:** I understand that the Housing Executive has commenced appropriate action, including legal action, to recover overpayments. That work is ongoing and will, I am sure, be ongoing for some time. It is a substantial amount of money that needs to be recovered.

**Lord Morrow:** I, too, thank the Minister for his statement today, which makes for horrific listening and reading. In relation to the timescale around all of this, a credibility gap has opened up here. It is important that the matter is brought to a close as swiftly as is possible but as accurately as is possible. Has the Minister any indication as to what timescale will be placed on this? Hopefully, it will not take another £18 million to ascertain what did go wrong.

**Mr McCausland:** It is a complex process legally to get to the bottom of these things and seek to have money recovered. I think that I would be unwise to put a timescale on it. What I will say is that I believe that there is a commitment by the chair of the Housing Executive to lead the work, as quickly as possible, on what needs to be done

within the executive. There will also be an independent review to get to the bottom of the full detail. However, these are complex things.

Look at the ASM report. It was initiated soon after I came into the Department, and we are two years on. The processes here are slow; you have to check through so many documents, inspect pieces of work and so on. It is a slow process. However, I assure the Member that I do not want to see this running on beyond the time that is required. We need to get it done thoroughly, so that whatever can be recovered for the public purse is recovered.

**Mr McCarthy:** In view of the horrendous statement this morning, the Minister said in response to another Member that there have been problems with the contracts for running over 30 years. In God's name, somebody somewhere should have seen what was happening and not allowed it to reach the point where 18 million quid of public money has gone astray. Will the Minister tell us whether there is any possibility that somebody will be made accountable for this error and that criminal proceedings will be initiated so that at least some of the money will be recouped on behalf of the taxpayer?

**Mr McCausland:** The Member poses a question about the duration of impropriety. Certainly it is the case, as was indicated in that headline, that back in 1978 there were questions about Housing Executive contracts. They may have been different questions, but nevertheless questions were being asked even then. If this was the private sector, and somebody announced at the annual meeting of a company that £18 million had been overpaid, I think that heads would roll and people would be out the door very quickly. Things do not always happen in exactly the same way in the public sector and the private sector. However, we do need to get to the bottom of responsibility here. It is about not just what happened but how it happened. People have to take responsibility for their actions — or inactions, as the case may be.

**Mr Newton:** I, too, thank the Minister for his statement this morning, concerning as it is. Does he agree that those elected representatives who made representation on behalf of east Belfast company Red Sky, and who were pilloried in the press for doing so, have now been completely vindicated?

**Mr McCausland:** On the basis of the report, there is really no doubt that the issues with Housing Executive contracts were not unique to Red Sky. Indeed, it is clear that a significant number of contractors were engaged in the same or similar practices. At the time that the Red Sky contracts were terminated, it was argued by some people that Red Sky was singled out, and the motivation behind that decision was questioned. The Department received representations at the time from a number of political parties from east Belfast, as the Member will know, including the DUP, the Ulster Unionist Party and the Alliance Party. All of the parties in east Belfast spoke out at that time on the matter. The first point that I made — that the other contractors that were around were engaged in similar practices — has certainly been vindicated by the report.

**Mr Beggs:** If a householder was getting a workman to carry out a repair job, they would inspect the work, satisfy themselves that the work had been completed and then

pay. Why can a multi-million pound organisation not follow those basic principles? Will the Minister indicate what level he feels that the failings have been at? Is it at the level of just the basic clerk, or is it at a much higher level in the organisation?

**Mr McCausland:** That is a question that would be good to put to those who were in charge of the Housing Executive during the lengthy period when that situation prevailed, including previous senior management in the organisation and previous chairs. There were other folk around when those things were happening who have questions to answer. Does it happen simply at a low level in the organisation or at a high level? I suspect, from what I have seen of it so far, that there was something in the culture of the organisation itself that meant that there was a very cavalier and casual approach to a lot of those things. When you are talking about £18 million you can certainly use words like "casual" and "cavalier" about the approach. There was not the proper management or the proper internal controls. The people at the top of the organisation — previous chief executives and so on — should have been on top of that sort of thing, but they clearly were not.

There is a lot of work still to be done to get to the bottom of it all, but it was important that, following the statement from the new chair of the Housing Executive, we brought it to the Floor of the Assembly this morning and gave Members an opportunity to comment, ask questions and seek clarification on it. There is certainly a lot of investigation still to be done.

**Mr Allister:** If there has been wrongful siphoning off of £18 million of public money, has the Minister called in the police? Can he answer Mr McCarthy's question about how long it has been accumulating? If it is endemic in the Housing Executive, why did the director of corporate services recently get a huge handout upon his redundancy?

**Mr McCausland:** First of all, the £18 million was over just a short few years; it is not going back over a lengthy period. Secondly, I do not intend to comment this morning on the role of any particular individual in the organisation. Certainly, as yet, the Housing Executive has not called in the police. The investigations are ongoing. *[Interruption.]* The Member may just care to listen.

#### 12.45 pm

The issue is now with the Housing Executive. It was brought to my attention in the past few days. The Housing Executive will look at it, as will the Department, and decisions on the right way forward and the recovery of moneys will be a top priority.

What will come from that in due course? Time will tell, but we need to find out first exactly how things were. I will want further briefings from the Housing Executive about the ways in which this particular immense sum of money arose. It goes back a number of years, well beyond the time when I went into the Department. As soon as I went into the Department, I started the process of investigations because I knew that things were wrong. I am determined that we will get to the bottom of it.

An independent review of the matter is being carried out to get to a further level of information but, as with previous examples of inappropriate behaviour in public sector organisations, there seems to be a general acceptance

that you do the internal work first to gather evidence and then you look at whether criminal issues arise or whether the police should be brought in. A lot of information has still to be gone through in the Housing Executive.

**Mr Agnew:** I welcome the fact that this problem has been identified and that efforts are going to be made, where possible, to recoup some of the money. However, it seems to fit the Minister's agenda to paint the Housing Executive as bad and housing associations as good. If we look at the performance of housing associations and their response times in maintenance contracts, we see that the percentage of targets met is as low as 75%.

Given that the proposal is to, effectively, hand this issue over to housing associations, why are they not under equal scrutiny and why has their performance not been investigated to the same degree?

**Mr McCausland:** I welcome the Member's agreement that getting this information out as quickly as possible was the right thing to do. The fact that the information has gone out this morning in the way that it has done clearly vindicates the strong stand that I have taken with the Housing Executive over the past two years. We have been interventionist in a way that has not been the case previously. That is right and proper, and there are 18 million reasons why it was the right thing to do.

The Member talked about painting the Housing Executive as bad. You do not need to paint the Housing Executive as bad in this instance because it did that by itself. Housing associations are, obviously, much smaller organisations; they are scrutinised and are subject to a high level of oversight, I would contend. However, it is wrong to conclude that, as the Member seems to be doing, housing associations as we know them now in Northern Ireland will somehow or other take on the landlord role under some future restructuring. That has not ever been said to be the case.

We need to view housing in a holistic way. We need to look at social housing but also at the regulation of the private rented sector and of housing associations. All those elements need to be taken forward together. That is why we introduced a housing strategy last year so that we can have a more holistic approach to housing. All those elements have a role to play.

I want to emphasise the point that the Member made at the start. The content of this morning's statement vindicates everything that I have said and done regarding the Housing Executive's shortcomings over the past two years.

## Executive Committee Business

### Main Estimates 2013-14

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to four hours for the debate. The Minister will have up to 60 minutes to allocate, as he wishes, between proposing and making a winding-up speech. All other Members who are called to speak will have 10 minutes. I remind Members that the vote on this motion requires cross-community support.

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That this Assembly approves that a sum not exceeding £8,271,268,000 be granted out of the Consolidated Fund for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 and that resources not exceeding £8,558,118,000 be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 as summarised for each Department or other public body in columns 3(b) and 3(a) of table 1.3 in the volume of the Northern Ireland Estimates 2013-14 that was laid before the Assembly on 29 May 2013.*

Thank you, Mr Principal Deputy Speaker. Since this is the first time I have been in the Assembly while you have been in the Chair, I congratulate you on your post. I hope that you will look kindly on me if, by some mistake, I overstep the mark.

The debate covers the Supply resolution before the House. The resolution seeks the Assembly's approval for the 2013-14 spending plans of Departments and other public bodies, as set out in the Main Estimates. The Main Estimates were laid in the Assembly on Wednesday 29 May 2013.

The resolution before the House relates to the supply of cash and resources for the remainder of the current year, 2013-14, as detailed in the Main Estimates. The Vote on Account, which was passed by the Assembly in March, provided initial allocations for 2013-14 to ensure the continuation of services until the Main Estimates could be presented to the Assembly for approval.

This resolution and the Budget Bill, which I will introduce later today, request the balance to complete the total 2013-14 cash and resource requirements of Departments and other public bodies. The balance to complete amounts to over £8 billion of cash and over £8.5 billion of resources. Those requirements have their origins in the third year of the Executive's Budget 2011-15, which was approved by the previous Assembly on 9 March 2011, as well as in the demand-led annually managed expenditure (AME).

On behalf of the Executive, I request and recommend the levels of supply set out in this resolution under section 63 of the Northern Ireland Act 1998.

Accelerated passage is required for the legislation, and there is provision for this specific instance in the Assembly's Standing Orders. The Committee has agreed to grant accelerated passage, and I want to place on record my appreciation of the Committee's work in agreeing this important step in the process.

I expect that, during today's debate on this important resolution, we will hear many voices using the debate to raise important and relevant issues. I also suspect that there will be some who will, shall we say, provide tenuous links to the Supply resolution in order to raise their own pet issues that may not be so relevant. I can already see that there are a number of Members lining up to do just that. So, be warned, Mr Principal Deputy Speaker. Although I do not doubt their sincerity, I urge Members not to stray too far from the specifics of the Supply resolution before us. I make that plea on all these occasions, and it always falls on deaf ears, hence my reliance on you, Mr Principal Deputy Speaker, to keep the Members in line and not let them stray too far off the path.

Taking my own advice, I will move on to the subject of today's debate. The 2013-14 financial year, like previous years, will present significant challenges for the Assembly in the provision of public services. When the 2010 UK spending review outcome for 2013-14 was set, in real terms it provided resource departmental expenditure limits (DEL) that were 6.1% lower than the 2010-11 baseline and capital DEL that was over 40% less than the 2010-11 baseline. However, since then, two material changes have occurred. First, subsequent UK Budgets and autumn statements have increased our 2013-14 resource DEL by £145 million and our capital DEL by £151 million. Secondly, it must be remembered that a number of difficult decisions on curtailing public expenditure have already been taken in 2011-12 and 2012-13, meaning that we are more prepared for the level of public expenditure available and have laid the groundwork for some of the required savings.

Since the Assembly agreed the 2011-15 Budget in March 2011, a number of other external issues have changed the 2013-14 financial landscape. Probably the most important in determining the scale of the Northern Ireland block is the UK Government's change in spending emphasis in that they have switched the resourcing emphasis from current to capital spending. In light of these issues, the Executive undertook a review of the 2013-14 and 2014-15 years in November 2012. The outcome of that is reflected in the Estimates before the House today.

The changes that I outlined have been agreed by the Executive and are reflected in the Estimates before us, ensuring that the necessary resources are in place as early as possible to allow good planning and delivery of essential public services. It would be easy to stop there and focus solely on delivering public services. However, we, as an Assembly, must continue to support our economy and encourage our private sector as it continues to face financial difficulty. We must utilise the resources in this Bill in the most effective way possible to ensure that we can provide a sound footing for our businesses, our society and our people. Today's news about better prospects for the private sector is an indication that

the emphasis that we have placed on it is beginning to bear fruit.

Those are some of the difficulties that we face in 2013-14, but we also have much opportunity. Invest Northern Ireland continues to encourage our fledgling businesses and to support our established ones. The number of job announcements over the past number of weeks is an indication of the success that has been achieved.

In tourism, this year again provides many opportunities for us to promote Northern Ireland as a major tourist venue. The World Police and Fire Games, which are being held here, will provide a platform to promote our tourist industry. The UK City of Culture celebrations continue in Londonderry. There will also be a further increase in cruise ship business in 2013, with 58 ships and 114,000 passengers due to visit Belfast; that will mark a growth of around 30% over two years.

For those among our ranks who have an interest in cycling — I notice that the Member for South Belfast is not in his place, but he is a keen cyclist — the start of the Giro d'Italia cycle race will begin here in 2014. I do not know whether the First Minister also intends to join that; he certainly has the kit if not the ability. That event will bring a significant amount of tourism. I can assure Members that I will not be participating. I prefer bikes that exercise the wrists rather than the leg muscles. Who could forget, also, that the eyes of the world will be on us next week when the G8 summit provides an opportunity to showcase our country?

I turn to our public expenditure environment. Over the coming months, there will be a number of critical public expenditure issues to be addressed with Treasury Ministers that will have a strategic impact on Northern Ireland. In a few weeks' time, the Chancellor will announce the outcome of the 2015-16 spending round, including the level of funding for Northern Ireland. In addition, there is the ongoing issue of implementing the UK Government's welfare reform agenda in Northern Ireland. Ministers continue to work through that very complex area. As I have mentioned in the House previously, we can expect HM Treasury to exert greater control and scrutiny on the drawdown of annually managed expenditure.

It is easy to interpret some of the constraints that we face as a reflection of an economy in difficulty.

However, I am certain that we face 2013-14 in a better position than we might have envisaged after the 2010 spending review. There are some tentative signs that the Northern Ireland economy is beginning to stabilise; for example, there was an increase in employee jobs during 2012, and the number of unemployment benefit claimants is unchanged from December last year. Our latest output figures are also encouraging, with growth across services, production and construction in the final quarter of 2012. The latest Bank of England forecasts paint a relatively optimistic and positive scenario for the UK economy as a whole, and, as I have outlined, our regional economy also appears to be returning to growth with the public services budget having some degree of certainty towards 2015-16. Despite those positive signs, there are clearly a number of challenges still facing the local economy, particularly on bank lending procedures, which the Assembly will continue to help address.



**1.00 pm**

It is now up to all of us to support our economy, equip our workforce and direct our public services to maximising the position that we find ourselves in, and I believe that the Estimates before you today will facilitate that process. Mr Deputy Speaker, I look forward to the debate on the expenditure plans in the Main Estimates and on related issues, and I look forward with some interest to see how you will deal with Members who stray from that path in their zeal to represent their constituents and pursue particular interests.

**Mr Allister:** What is he scared of?

**Mr Wilson:** I am not afraid at all, but I want to get home tonight. We have the sun, and we really do not want to miss out on that if we can avoid it. I certainly do not want to be here until midnight, and I am sure that Members do not want to be here until midnight either. I request the support of Members for the resolution to approve further Supply for the 2013-14 financial year to enable vital public services to continue beyond the current provision in the Vote on Account.

**Mr Principal Deputy Speaker:** I exhort Members to follow the Minister's very good example.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am sure that the Minister will be glad to hear that I will not raise any pet projects. However, he raised the issue of the Giro d'Italia, and that should be of benefit to north Antrim. If the Minister can do anything to lead those cyclists up into north Antrim, perhaps along a newly extended A26 to the Drones Road, all the better.

Senior DFP officials briefed the Committee on the Main Estimates for 2013-14 and the associated Budget (No. 2) Bill, which gives legislative approval to the Estimates and is to be introduced in the Assembly following this debate. Advanced copies of the Main Estimates and the Budget Bill were made available to Committee members prior to the briefing. DFP officials also provided a paper to the Committee that, amongst other things, reconciled the figures in the Main Estimates for 2013-14 with the original allocations for 2013-14, which were contained in the four-year Budget 2011-15 that was agreed by the Assembly before the end of the last mandate.

The Committee's scrutiny of the Main Estimates focused on establishing the background and the reasons for the changes in the allocations for each Department. The moneys involved were significant, including a total of almost £100 million in resource allocations and £313 million in capital allocations. There was a total of £57 million in resource reductions and £346 million in capital reductions, while there was £154 million in resource transfers and £6 million in capital transfers with Whitehall Departments. There was also a range of resource and capital technical adjustments.

In addition to explaining the make-up of those changes during oral evidence, DFP officials provided a detailed breakdown for each Department in writing to the Committee. While the scrutiny was, by necessity, detailed and painstaking — I do not intend to rehearse that today — perhaps it will help to inform today's debate if I highlight

a few of the more significant changes affecting some Departments since the 2011-15 Budget.

The largest of the resource allocations applied to the Department for Employment and Learning and the Department of Education. The former received £58.3 million, which splits into £29 million for student fees and £29.3 million for training and employment initiatives under the economy and jobs initiative. For DE, the figure is £25 million, which includes an Executive allocation of £15 million and £10 million for schools estate maintenance as part of allocations under the economy and jobs initiative. On resource reductions, the DETI figure amounted to £13.8 million, mostly comprising an Executive reduction following their assessment of how Departments were performing in relation to their original budgets. DRD reductions amounted to £12.5 million, which was also comprised mainly of an Executive reduction.

The most notable of the amounts in capital allocations was £240.9 million for DRD, which included the reprofiling of £195 million in A5 capital and £44 million in capital acceleration. The Department of Health, Social Services and Public Safety received £37.3 million from the reprofile of that A5 capital. DFP officials explained that the Health Department was awarded an additional amount for the Ulster, Omagh and Altnagelvin hospitals. On capital reductions, the most notable amount was £336 million for DRD, which included amounts relating to the removal of initial A5 and A8 moneys and an Executive reduction. During their oral evidence, DFP officials also explained that the £123 million transfer for DSD related to the movement of housing benefit and the social fund from annually managed expenditure to departmental expenditure limit budgets, which do not represent additional amounts.

Finally, on the changes since the 2011-15 Budget, it is also worth noting that there were a range of technical items, including a DSD figure of £16.7 million capital that relates to asset management unit receipts, and a transfer of resource from DARD to DFP in respect of shared services.

On behalf of the Finance Committee, I thank the departmental officials for taking us through the reconciliation of the Main Estimates before us with the original Budget for 2013-14. The Department has recognised that prior-year out-turn information is beneficial to the Committee in considering the overall financial performance of Departments. Accordingly, DFP provides the Committee with the monthly financial performance of each Department, including the forecast out-turn position at the end of each financial year. That data provides a useful tool for scrutiny, and so the Finance Committee shares this with the other Statutory Committees, which, in turn, can receive Department-specific briefings from the financial scrutiny unit in the Assembly Research and Information Service. This represents an important step forward in the transparency and scrutiny of public finances, and I encourage all Statutory Committees to set aside time to regularly monitor departmental performance in this regard going forward. I also ask that DFP endeavour to provide the forecast out-turn position for the year end to the Finance Committee slightly earlier than on this occasion, when the figures were received the day before it was due to consider the Main Estimates and the Budget (No. 2) Bill.

Following the DFP briefing on 29 May, the Finance Committee agreed to grant accelerated passage to the Budget (No. 2) Bill for 2013 on the basis that it is satisfied that there has been appropriate consultation with it on the expenditure proposals in the Bill. I have advised the Speaker accordingly.

Finally, on improving the Budget and financial processes, the Committee wrote to the Department recently to seek an update on the review of the financial process. From the Department's response, I deduce that the long-standing bone of contention between the Department of Education and the Department of Finance and Personnel remains concerning the review recommendation that the spending areas in departmental expenditure plans be restructured. The conflicting views on that have been well aired in the Chamber, and I certainly do not wish to rake over the ashes of that one. However, given that the Committee and the wider Assembly were generally supportive of most of the review recommendations, I trust that that disagreement will not prevent at least some of the positive recommendations from being progressed in the meantime.

In that regard, the Finance Committee previously agreed that it would take forward the complementary and interrelated exercise of developing a memorandum of understanding (MOU) on the Budget process. I am pleased that officials from the Assembly and DFP are currently collaborating to develop a draft document for consideration by the Committee and, ultimately, by the Assembly and the Executive. We are agreed that the MOU should help to address some of the difficulties encountered in previous Budget processes by setting out the principles for guiding the relationship between, on the one hand, the Assembly and its Committees and, on the other, the Executive Ministers and their Departments. Those might include, for example, mutual recognition of the value of the respective roles of the Assembly and the Executive in the Budget process; the requirements for proper consultation with Committees; the need for proportionality in the demands of Assembly Committees on Departments; and the need to maintain constructive and effective working relationships. It could also set out how the guiding principles would be applied and how breaches of the agreement would be addressed. As envisaged by both the Finance Committee and the Department, that type of high-level agreement would be underpinned by new Assembly Standing Orders.

The Finance Committee has previously recognised that the successful implementation of the memorandum of understanding would help achieve some of the recommendations from the review of the financial process, particularly in streamlining the end stages of the Budget process, in which we are presently engaged. Moreover, by enabling stronger oversight of departmental budgets and expenditure by Assembly Statutory Committees, the MOU will help to ensure the Executive's strategic priorities are developed effectively and efficiently and will also —

**Mr Principal Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr McKay:** — allow problems to be identified early enough for corrective action to be taken. On behalf of the Finance Committee, I support the motion.

**Mr Girvan:** I support the Supply resolution motion before the House. I appreciate that we had our Vote on Account issue dealt with previously, which allowed us to go ahead

with 45% of our spend and to move ahead with 55% still to spend in this current financial year.

I just want to set the scene for the process. I appreciate that the review of the financial process is ongoing and has been for some time. I, for one, feel that there has been an element of foot dragging in that matter. I appreciate that one Department in particular — the Department of Education — seems to have an area in which it just wants to keep everything under a single blanket heading: delivery. I have some concern about that.

I will take the guidance of the Minister, and I appreciate that we have to stick to the debate for today. We have shown real delivery to the benefit of the community and the business community at large in relation to the rate relief scheme that was piloted by the Assembly. We started with a rate ceiling of £5,000 in 2011-12 and increased that to £10,000 in 2012-13. In this year, 2013-14, we are now up to £15,000, which equates to roughly 50% of businesses that can take advantage of the 20% reduction. That is intended to encourage those businesses through a difficult and awkward time.

Other points that have been brought forward include the prompt payment scheme, which offers some direct help to those who struggle to get payments through — contractors and particularly subcontractors — albeit that some work needs to be done to ensure that the subcontractors get the benefit passed down to them correctly. Some subcontractors that are bought in at a very late stage and are not necessarily on the list could fall through the rails and not benefit.

#### 1.15 pm

We must also consider that we started from a very difficult position. We have a £4 billion cut over the Budget period from our block grant under the Barnett formula. We had a cut of £4 billion in what we will receive up to 2015. Therefore, we have been trying to manage that effectively. Some of that was being dealt with by the savings delivery plans that were put forward by Departments. Some Departments seem to have one view of what a savings delivery plan is and others seem to have a different idea. Therefore, there needs to be some clarity. The Department of Health, Social Services and Public Safety decided to close some wards in a hospital and said that that was a savings delivery plan as opposed to a cut. In one person's view, it is a cut; in another person's view, it might well be a savings delivery plan. We need to get savings, but we must be sure that we are not cutting services. The Finance Committee has been looking into that matter, and it needs to be sure that that is what it is getting.

I appreciate that the October monitoring round is probably the most important, and it is vital that, when Departments identify that their spend may not be met, they release that money back so that it can be allocated as early in the process as possible. Let us be honest: when it comes in January, there is a very small window of opportunity to spend it.

We have major concerns about some of the arm's-length bodies. The Social Development Minister made an announcement to the House this morning about an £18 million overspend in his Department. That indicates that we are not necessarily getting true accountability with regard to the money that we hand out to arm's-length

bodies to be managed through Departments. Assurances need to be given that the process of managing and governing arm's-length bodies will be looked into and that a proper spending plan will be put forward.

Two figures are mentioned in the motion: £8.2 billion of cash and £8.5 of resource. We need to be sure that we get value for money for all the spend. In all cases, we are making improvements, and it is vital that we see improvements. By no stretch is that down to the Minister of Finance and Personnel: I have to sing his praises, as you would expect. However, the war is not over, and we still have to fight to ensure that we get the help required for the other tool in the box — corporation tax. Devolved corporation tax powers are another tool that we can and should try to deliver to maximise what Northern Ireland can achieve both in the private sector and with regard to helping fund and deliver the public sector.

We have had many reports on how the Rate Collection Agency is performing. Rate collection is the only tax-gathering power that we have in Northern Ireland at present. It is vital that we get the return and that the money is lifted early and efficiently, and that is happening.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leat as an deis cainte ar an díospóireacht thábhachtach seo ar an Rún Soláthair agus ar na Príomh-Mheastacháin. Thank you very much, Mr Principal Deputy Speaker, for the opportunity to contribute to the debate.

The Member who spoke previously mentioned that the budgetary settlement under which we are working was one of the most difficult ever, with losses of £4 billion and a further £300 million through end-year flexibility. Even with that, last year, some Departments had extremely high figures of easements, amounting to around £150 million on the revenue side alone. The Minister was surprised by that, as were Assembly Members. On the back of that, the Minister introduced a review of departmental spending to try to ascertain whether there was a need for reallocations in the final years of the Budget, and I know that that work has been completed. It would be interesting to know whether the Minister is satisfied with the outcome of that review and whether he feels that further reallocations are necessary.

The Minister warned us at the beginning not to bring up pet subjects, but I am afraid that I will have to err on that issue and refer to one that I have referred to in several debates. Although it might be a pet subject, it is still relevant to this debate, so I would be eager to hear from the Minister where we are after two years and what his forecast is with regard to the remainder of the budgetary period for capital receipts. Is the Budget still on target for capital receipts, given that we are now into the third year? Where have the major new receipts or revenue streams over and above the usual sources, such as rates etc, come from?

I have a few other points that I would like to raise. The A5 slippage was mentioned and how some of that money has been reallocated. Are there still moneys from the A5 project that are open to departmental bids?

Moving on to the stadium project, I note that Crusaders Football Club has won the right to legally challenge the Government's allocation of £25 million to the redevelopment project at Windsor Park. The judge, Mr Treacy, ruled that Crusaders had established an

arguable case and that there was a possibility that the redevelopment of Windsor Park amounted to unlawful state aid. He granted leave to seek a judicial review on that point and on the alleged lack of transparency around that. Whether or not Crusaders is successful in its action, is it the Minister's view that that action will lead to a delay in those projects, and, if so, what are the possible financial implications?

Earlier in the year, we had the case of the Titanic signature project, where the EU rejected an application for £18 million on the basis of the nature of the procurement exercise. I would like to raise that with the Minister and ask him whether he is satisfied that the single tender procurement with no element of price competition represents value for money. I think that he said in his statement that the £18 million could be allocated to other projects. It will be interesting to know what progress has been made on that reallocation and what projects have benefited.

Welfare reform looms large. I think that the latest prediction is that the Bill will come before the Assembly in the autumn term, so it is important for the House to know what provision has been made in the Budget Bill to mitigate some of the impact of welfare reform, particularly in relation to the bedroom tax, which has caused much anxiety in our community. If the Executive decide to go for a substantial mitigation of welfare reform, how will that be resourced and can it be done without top-slicing Departments?

In relation to the social investment fund — I think that it is now called "Delivering Social Change" — it is disappointing that, three years into the Budget, none of those funds has been dispersed. Will the Minister inform the House whether there is an expectation that that process will begin this year and whether there is adequate time in the remainder of the budgetary period for those funds to be utilised?

Likewise, with the childcare fund, I think that £12 million was allocated to the initiation of a childcare strategy. To date, only £300,000 of that has been released. What is the present situation and what will be the implications of further delay? Many community groups involved in providing childcare services are extremely disappointed at the slowness of the process. Indeed, many have had to let valued employees go because of the delay.

In relation to the united community announcement, the House will be interested to know the estimated cost of the recently announced shared school campuses — 10, in all — the urban villages project and the NEETs cross-community employment programmes. For example, what will the costs be in the current year, and where is that additional money to be found in the Budget Bill? How will the money be provided in future years, or is the whole project purely contingent on an economic package from London to provide more resources?

I am interested to know whether there is provision for potential EU infraction costs across all Departments. If so, what is the scale of that?

Sin a bhfuil le rá agamsa, a Phríomh-LeasCheann Comhairle anois, ach, ar ndóigh, beidh deis cainte eile ann amárach, agus beidh mé ag dúil le páirt a ghlacadh sa díospóireacht sin fosta. I look forward to continuing discussions tomorrow.

**Mr Cree:** We have reached that stage in the year again when we have to allow the Main Estimates and the associated legislation in the Budget Bill tomorrow to pass. Despite having voted against the four-year Budget in 2011 and having expressed serious concerns about aspects of that Budget, we have little option but to raise those concerns once again and move on. The Minister will be pleased to know that. This stems from the fact that we have a financial process — again, the Minister will recognise that he has heard from me on this before — that is not fit for purpose. I have said that many times in the House and in many Budget debates throughout the years. In the past, the Finance Committee did good work in an attempt to remedy that. It held an inquiry into the role of the Northern Ireland Assembly in scrutinising the Executive's Budget and expenditure, and it made recommendations, including the need for formal agreement on a regularised or structured Budget process. It was also felt that an early formal stage in the process was necessary to give the Assembly the opportunity to influence the Minister's thinking, if that is possible, and to enhance effective scrutiny.

### 1.30 pm

The Department of Finance and Personnel is taking forward a review of the financial process on behalf of the Executive. Its terms of reference state:

*"the overall aim of the review is to examine and make recommendations on the options to create a single coherent financial framework that is effective, efficient and transparent and enhances scrutiny by and accountability to the Assembly, taking into account the needs of the Assembly."*

Both the inquiry's recommendations and the stated intention of the review of financial process are laudable and would undoubtedly improve the situation, not least by making debates such as this and the one tomorrow more meaningful. This question, however, remains: what has happened to that vital work? The Committee for Finance and Personnel inquiry sits on a shelf somewhere, and the review of the financial process is being frustrated by the Sinn Féin Education Minister, who refuses to make his Department's expenditure transparent. That is unacceptable. There has been much talk recently about a rotation of the Finance Ministry by the DUP. I hope that one legacy of Sammy Wilson's time in office will not be that he could not carry through the vital reform of the Assembly's financial dealings.

In today's motion, the Minister seeks the Assembly's approval of the 2013-14 spending plans of Departments and other public bodies as set out in the Main Estimates. The combined sum is £8,271,268,000. That vast amount should be adequately scrutinised by the Assembly, but that is simply not the case at present. So that we do not complicate matters or jeopardise the drawdown of funding by Departments, but in the full knowledge of our previous opposition to the four-year Budget and the concerns that many colleagues will outline over the next two days, we will not obstruct the budgetary process at this stage.

In closing, I will mention a few areas in the Main Estimates on which I would welcome clarification from the Minister when he responds to the debate. First, the First Minister and deputy First Minister recently announced the strategy,

Together: Building a United Community. However, I am aware from my membership of the OFMDFM Committee that it has not yet been factored into any budget. Assuming that some or all projects will be up and running in the incoming year and bearing it in mind that junior Minister Bell claimed that £0.5 billion would be allocated to it, some detail would be interesting, given the lack of consultation thus far with other parties.

Secondly, the Minister has been granted additional infrastructure funding of over £200 million by the Treasury through the Barnett consequentials. Will he outline the specific projects for which that money will be made available? It is important that it is seen to make a tangible difference rather than simply evaporating into the Minister's coffers with little or no transparency.

Lastly, the legal dispute over the European grant for the Titanic project was raised during previous budgetary stages and by Mr Bradley this afternoon. I would like to hear the Minister's explanation of the current position on the £18 million and the request from the Enterprise Minister. I know that, in the past, he told us that, for the money to be a net saving, it had to be for a project already included in the Budget, but perhaps he will clarify that.

**Mrs Cochrane:** I too welcome the opportunity to speak on the motion today. It is every Member's responsibility to interpret how the consequences not only of the Estimates but of the impending Budget Bill might serve to improve and develop our local economy and what impact that will have on our constituents.

I am glad that the Minister, in his opening remarks, highlighted our need to focus not only on our public sector spending but on the importance of supporting our private sector. As someone with a key interest and background in business, I look forward to chairing the first formal meeting of an all-party group on small and medium-sized enterprises tomorrow, at which we will hear directly from our small business sector on how we can further assist it to grow and prosper.

The challenging financial environment that we face must be handled maturely and innovatively as, although there has been some good news today, there will, undoubtedly, be further impact on the economy through, for instance, the Welfare Reform Bill, as it progresses. Mr Bradley has already outlined some concerns that we have around that.

In some aspects, the challenge can pass to Departments to manage their individual budget, but that would be rather short-sighted and would indicate a missed opportunity. Collaboration between Departments is imperative, and we must continue to focus on early intervention and prevention, as a shift in the balance of resources into programmes that seek to prevent problems from emerging or to intervene at an early stage can produce savings through avoiding the need to spend greater resources as problems fully develop.

More than ever, we must seek to tackle our duplicated services and the divided society that that perpetually reinforces. I am sure the Minister will not be surprised to hear me state in the House once again that the cost of division in Northern Ireland drains our economy of around £1 billion a year. I welcome the fact that other parties have finally come round to the Alliance Party's way of thinking. We have the First Minister and deputy First Minister's Building a United Community strategy, for instance.

Shared future sound bites are worth nothing unless serious action is taken at Assembly level. We need to create serious and achievable targets in order to progress a truly shared future for everyone. Those targets must have the required resource allocated to them through our Estimates and our budgeting process.

One of the most significant areas of duplication remains our education system, and the vast majority of our schools still serve only one part of the community. We have ended up with too much of the Department's money locked up in capital, so the pressure for cuts then falls on our teachers, pupils, transport and special needs etc. Expenditure per capita in Northern Ireland is significantly higher in education than in all other UK regions, but that resource is actually being eaten up through overadministration and overprovision of partially empty schools. Even in the immediate term, the potential for collaboration could start to realise up to £80 million a year of savings, but, unfortunately, the issue of integrated education has been slightly neglected in the Building a United Community strategy, even though integrated education is the issue that most people would identify as a means of overcoming division and making the resulting savings. The less ambitious forms of sharing are unlikely to deliver what is needed. Therefore, as we look ahead, we must consider if this is the most effective use of our resources. The Minister for Employment and Learning is, however, reviewing our fragmented teacher training sector. At present, that is the only potential move to develop integration as opposed to merely sharing.

In housing, we still have residential segregation, which creates significant cost pressures for private and social housing. The territorial display of flags and emblems, along with peace walls, creates major inefficiencies in our housing market. Perceptions of territoriality must be addressed, as it also has a negative impact on our business sector.

There is a strong financial and economical imperative to build a shared future so that our public spending is not wasted on maintaining division. The concept of separate but equal is unsustainable economically and morally. Policies that simply adapt to segregation result in inefficient resource allocations. Shared proofing of all policy and spending commitments, therefore, will assist in effective budgeting and spending in Northern Ireland. That is already the practice of the Alliance Ministers and, thankfully, has now been recognised in the 'Together: Building a United Community' document. I look forward to seeing the positive impact that that can have. I support the motion.

**Mr Givan (The Chairperson of the Committee for Justice):** I am pleased to speak as Chairman of the Committee for Justice in support of the Supply resolution for the Northern Ireland Main Estimates for 2013-14, which will grant the Department of Justice over £715 million to enable it to fund its responsibilities and priorities. Of course, the Committee regularly scrutinises the Department of Justice budget and receives detailed information on monitoring rounds. The Committee pays particular attention to the savings delivery plans and the likely impact on the delivery of front line services.

On 30 May, the Committee for Justice received a detailed briefing from officials on the budgetary position, the pressures that are faced and the 2012-13 provisional out-

turn. The Committee noted that the Department's resource DEL underspend represents 0.65% of the budget, which is a good outcome in managing that budget. Over the coming months, the Committee intends to scrutinise closely the spend against budget by the Department of Justice and each of its agencies and non-departmental public bodies, and to assess that against the associated outputs.

I will highlight for Members some of the key budget challenges that face the Department of Justice in 2013-14. The main pressure that is faced by the Department continues to be the cost of legal aid. Already, the Legal Services Commission has forecast a pressure of £27 million. It is important to note that we no longer have access to Treasury funds in respect of meeting the continuing legal aid shortfall. That £27 million needs to be found from the Department of Justice's allocation. That money could be spent on police stations, prisons or on various community safety projects. Indeed, I will highlight an early intervention project in my local area. The Department of Justice needs to get more involved in such projects and team up with the Department of Health, Social Services and Public Safety and the Department of Education to try to prevent young people from ever becoming engaged in activities that can lead them down a path that, inevitably, ends up with them going through the criminal justice system and the revolving door that that becomes. Money needs to be allocated at that early intervention stage. In my constituency, a project under the Resurgam Community Development Trust is taking forward that type of work. That is an example of where £27 million would be much better spent — not only in my constituency, but in every Member's constituency — than on easing the pressure faced by the Legal Services Commission. The Department intends to provide £15 million to ease that pressure at this stage. It is unsustainable for substantial additional funding to be provided year after year to meet that cost, given that a significant budget of £85 million is already allocated to fund legal aid.

Despite changes having been made to the fees that are paid for criminal legal aid, which have reduced spend in that area considerably, civil legal aid costs have trebled over the past 12 months. The main cause appears to be a large increase in the number of complex higher cost cases from 32 cases in 2011-12, costing £2.6 million, to over 100 cases last year, at an estimated cost of £8 million. Members may draw their own conclusions as to how criminal legal aid has reduced because of a fee change that was not applied to civil legal aid. A different cost system operates in civil legal aid. Now, 12 months later, the costs have trebled. Members can form their own views about how that came about. In this area, the Committee has repeatedly shown its support to the Minister, David Ford, for bringing in changes to legal aid structures. I trust that, when changes are brought forward — I believe that changes to how civil legal aid operates are needed — the Committee will not be found wanting. We will certainly challenge and scrutinise. Ultimately, however, the current system does not provide value for money for taxpayers, although it may provide value for money for others. We have requested further information on the reason for that increase. We will continue to scrutinise that information as it becomes available.

I turn to the G8 summit. During a briefing with officials on 30 May, the Committee pressed strongly for further information on where the money is coming from to fund the

summit, the estimated contribution that would be required from the Department of Justice, and what guarantees the Executive have that the Northern Ireland Budget would not have to pick up the costs. Of particular concern is the likely policing bill. Officials were unable — maybe unwilling — to provide any concrete information at that briefing. I certainly think that, if the Finance Minister was able to shed some light on the anticipated costs of the G8 summit and comment on the Northern Ireland Executive's likely contribution to meet some of those costs, the House would appreciate that.

#### 1.45 pm

I certainly recognise the benefits of having the G8 in Northern Ireland, and I think that it is right that we recognise those benefits. However, it was the Prime Minister's decision. We would, therefore, argue that the significant liability for meeting the costs should rest with the Treasury. The Chief Constable has indicated that he has received a written assurance that the UK Treasury will pick up most of the costs relating to the policing of the G8, which is welcome news. However, we are aware that DFP has been leading on the discussions with Treasury. If there is any information pertaining to that, it would be appreciated.

The prison officers' voluntary exit scheme was launched on 8 November 2011. So far, 360 staff have been released, and the Executive have provided additional funding to enable a further 157 to be given the certainty that they will be allowed to leave under the scheme. That leaves 27 staff — seven governors and 20 senior officers — who are waiting for a guarantee that they will be allowed to leave the service. I welcome the indication that the Justice Department is in discussions with DFP to see whether further funding can be secured this year in order to provide those officers with confirmation that they will be allowed to go. It is important that the scheme is brought to a satisfactory conclusion as soon as possible to create certainty for all officers concerned. I trust that DFP and the Executive will be able to support DOJ's application, which will enable all the remaining staff to leave.

Speaking personally, I certainly welcome the fact that the Executive have recognised the invaluable contribution of the prison officers who availed themselves of the scheme. I declare an interest, because a family member is one of those who have left the service under this scheme. It is right that we give recognition to the prison officers who served during the darkest days of the Troubles in Northern Ireland, 29 of whom lost their lives.

**Mr D Bradley:** Will the Member give way?

**Mr Givan:** I am not going to give way; I want to make a few more points.

Twenty-nine officers lost their lives during that conflict. The scheme recognises the particular circumstances faced by those officers. Of course, there is a monetary benefit for the Executive, and that point should not be lost. It is an invest-to-save scheme, so, ultimately, the costs of funding it will be recovered for the taxpayer. In that sense, it is a win-win: the contribution of staff is recognised, and the taxpayer will achieve a more cost-effective service in the long term.

Desertcreat is a key capital project for the Committee to scrutinise. The Committee is extremely concerned about

the problems with the project. The project team briefed the Committee on the reasons for the additional £30 million cost to the scheme. We are aware of the efforts being made to reduce that additional cost, and we have sought assurances that this work will not impact adversely on the quality of the training facilities to be provided at the college. The Committee will keep a close eye on this. On 20 June, the project team will again come before the Committee to provide answers to the many questions as to how the project has been managed, why there has been such an overrun and whether there will be detrimental consequences for the core facilities at the college, and also any questions that may pertain to jeopardising the tendering process. Judicial reviews and other projects were mentioned earlier, and we are concerned that this could get stuck in judicial proceedings, unless things are carried out exactly to the letter of the law.

In the last few moments, I want to commend the Minister for bringing this to the House. I know that my colleague Mr Girvan from South Antrim indicated that you would expect us to say so, but I think that it is right that we recognise Ministers who do an effective job for all of us in the House. Minister Wilson has gone repeatedly to the Treasury and secured a number of key concessions — for example, air passenger duty — and represented the Executive in other areas. I think that it is right that we commend him not because we have to but because that commendation is worthy and justified. I support the motion.

**Mr McQuillan:** I welcome the opportunity to take part in the debate today. This is once again an important motion, as Departments would not be fit to operate without its being passed by the Assembly. As the Minister said, we have more resource available to us than we previously thought we would, due to the UK Budget and Autumn Statement, but we understand that we continue to live in a period in which resources are not as plentiful as they once were. We have to live with the money and resources that are available to us, and I want to commend the Minister for the work that he has done despite the difficult circumstances that we find ourselves in.

I would like to make a few points; the first is in relation to the new councils. The first elections to those bodies are expected in May 2014. This will, of course, save us money in the long term, but a number of costs must be met beforehand. One of the most pressing concerns is about rates convergence. Many people have asked how the new councils will affect their rates. In my constituency, Coleraine and Limavady Borough Councils are merging with Moyle and Ballymoney councils to form the new Causeway Coast and Glens District Council. People want to know how their rates will be calculated and how the merging of these councils will affect the size of their rates bills. I welcome the fact that money has been made available to deal with this, and it would be useful if the Minister could outline what allocations have been made to deal with rates convergence in addition to any other costs of transition, such as councillor severance and the shadow councils.

On a separate issue, I would also like to mention the help that these resolutions will make to the level of domestic and business taxation. I welcome the fact that, despite the difficult times that we live in, the Executive have taken steps to ensure that families are helped with the cost of living. In particular, steps that the Executive have taken in

relation to rates mean that the level of domestic taxation in Northern Ireland is among the lowest in the UK. The regional rate has been limited, not only to inflation but to the lowest indicator of inflation. This has provided real help and is to be welcomed. Perhaps the Minister could outline to the House the differences in domestic taxation levels among different parts of the UK. That will no doubt demonstrate how devolution and the decisions that this Executive have taken are working to the benefit of the people of Northern Ireland.

However, we all know that it is not only the householders that have been helped but businesses as well. Due to the measures that the Executive have taken, business taxation is among the lowest in the UK, and it is helping to make Northern Ireland one of the most competitive places in the UK to do business. We can see that this is paying dividends by the number of job announcements that we have witnessed recently. In addition to this, the small business rate relief scheme has helped many businesses in my own constituency of East Londonderry to the sum of almost £2.5 million. That scheme has been adopted by the Scottish Government, and it is good to see that the Executive are making decisions that other parts of the UK are keen to follow.

Obviously, these resolutions have wide-ranging implications, and it would be impossible to cover everything, but I welcome the fact that the Finance Minister is using the resources available to him to help householders, businesses and the growth of our economy. I support the motion.

**Mr A Maginness:** I welcome the debate, but I seek reassurance from the Minister in relation to the recovery of our local economy. The Minister said some rather encouraging words about the current economic situation, but I hope that he will expand on that and give us even more encouragement. It seems to me that, sadly, we are still in the doldrums, and we all must work very hard to try to develop our economy further. I hope that the Minister will put his best foot forward and give a more detailed analysis of the current situation.

There is no such thing as a free lunch, and the G8 springs to mind. I thought I was reassured by the Minister of Justice during Question Time some weeks ago, when he indicated that there would not be a cost to Northern Ireland for hosting the G8 summit in Enniskillen. I may have been mistaken, and if I was, I apologise to the Minister, but it comes to me, and to others I would think, as a bit of a surprise that we would be expected to pay for the summit. It seems that it is part of a UK arrangement. If that is the case, the central Government should, in fact, bear the burden of the G8. I know that they are carrying a considerable amount, but I am not so certain that Northern Ireland needs to pay the contribution that has been suggested. I am not sure whether that is 5% or 10%, but, nonetheless, it has been suggested that the cost will be in that region for Northern Ireland. I would like the Minister's view on that. He is a man given to great discretion on these matters, but he certainly expresses his mind from time to time. Perhaps he might want to do so about this issue.

Another issue that springs to mind is corporation tax. That has been put on the long finger. I know that the Minister has never expressed his commitment to that in enthusiastic terms, although there has been a commitment nonetheless. I wonder whether the fact that corporation tax

has been put on the long finger impacts on his view of our economic future, how we develop our economy and how we work our way out of this recession. Perhaps a more practical and important pressing issue at the moment is that of regional aid. Is the Minister confident that he can persuade his counterparts in the Department for Business, Innovation and Skills (BIS) of the need for Northern Ireland to be treated differently and to maintain regional aid here? It seems that, if we are losing out on corporation tax, we have to have a firm commitment from the British Government on regional aid. That is a fair point. There were various arguments with the European Commission about that. I believe that the European Commission has been successfully persuaded to accept the position that Northern Ireland should be treated very sympathetically regarding regional aid. I would welcome the Minister's comments on that issue. It seems to be very important.

A further point relating to the Department of Justice is Desertcreat. I wonder whether the delay in Desertcreat will impact our Budget further down the line. It is a fairly substantial amount of capital expenditure. What is the impact of delay? It may well be a beneficial impact, but it could also have a malign impact by squeezing out other worthy projects in the near future. Perhaps the Minister will comment on that.

The Welfare Reform Bill will obviously have an impact on Northern Ireland. I hear worrying talk at Westminster about further cuts and, of course, controlling welfare expenditure. I wonder whether there is any way in which we, through a more imaginative use of our resources, can mitigate the impact of those welfare cuts in Northern Ireland. Those questions should be answered. The people out there who are worried stiff should be given some reassurance. I hope that the Minister will give that reassurance.

## 2.00 pm

Finally, last week in the Assembly, the issue was raised of the workers employed in and seconded to the PSNI and the Department of Justice who have not benefited from the equal pay settlement. I ask the Minister to make some comment on that issue. If funding is available, although it may be difficult, perhaps it could be allocated so that workers who have been seriously disadvantaged — that is the view of the House — will receive some reassurance that their position will be altered to their advantage.

**Mr Swann:** I welcome the opportunity to outline the Employment and Learning Committee's view of the Budget Bill. The pressures on all Departments are well known to all in the House, so I will not rehearse the issues here. I am sure that the Minister will be glad to hear that. However, the Committee for Employment and Learning would argue that the work of the Department for Employment and Learning is central to directing Northern Ireland out of the current financial difficulties.

Through its inquiry into careers and hearing evidence from the Department and organisations such as the CBI, the Committee has learned that one of the main drivers for recovery is to ensure that Northern Ireland has the workforce, skills and training to enable it to compete for jobs in the global market. That said, the Committee welcomed the Executive's prioritisation of the issue in their economy and jobs initiative, announced in November 2012, and the £200 million attached to it, albeit that it was, for the most part, recycled money. The Committee welcomed

the initiatives for more PhD students, more STEM places and funding programmes to provide assistance to the unemployed to re-enter the labour market.

On 14 November, the Minister came to the Committee to explain the new economic measures and to detail how the funding was made available. The Committee will continue to oversee the spending of these additional economic measures in 2013-14 and 2014-15 to ensure that the targets that have been set are met.

On 29 May, during its briefing on the June monitoring round, the Committee acknowledged that the difficult economic climate creates pressures on the DEL budget. The Committee was briefed on the budget transfers in and out of the Department, including the £5.8 million that is due from the Department of Health, which is its contribution towards the costs of medical, dental and social work student places, and a contribution of £1.85 million from the Department of Education towards the cost of retaining the £200 a year bonus in the education maintenance allowance scheme.

The Committee is also cognisant of the £3 million reclassification from resource to capital in further education. The Committee intends to keep the reclassification of the colleges to non-departmental public bodies under review this year.

Speaking as the Ulster Unionist Party's spokesman on employment and learning, I raise concerns. Looking at further education in colleges, we can see that some £172 million is being allocated over 2013-14, which is down from over £200 million in 2011-12. However, I welcome the increased budget that has been afforded to higher education year on year since 2011. It will receive nearly £200 million in the year that the Main Estimates refer to.

Mr Cree has raised concerns about the Together: Building a United Community strategy, which, in a number of places, outlined strategies that cross over into the territory of DEL. An example of that is the United Youth programme, which aims to create 10,000 one-year placements and 100 summer schools. For the purposes of the Main Estimates, I would be grateful if the Finance Minister could detail whether he knows how those policies will operate alongside current DEL policies and, most importantly, how they will be funded.

In her contribution, Mrs Cochrane referred to DEL's statements and progress on teacher-training colleges. The funding of Stranmillis University College remains a concern. Fears were alerted when the Minister for Employment and Learning announced in a statement to the House in November 2011:

*"In the event that the Stranmillis/Queen's merger does not proceed, the outlook for Stranmillis University College is bleak ... I do not have any additional funding for Stranmillis." — [Official Report, Bound Volume 69, p77, cols 1-2].*

However, in a statement to the House in May 2013, the Minister said:

*"Stranmillis's longer term projections, based on its assumptions, indicate that it will maintain a positive income and expenditure reserve and cash balance, but, again, the trend towards a deficit position each year post-2021 will eventually deplete its reserves*

*and cash balance. However, Stranmillis will remain vulnerable to any additional requirement for capital expenditure across the forecast period over and above its existing backlog maintenance requirements." — [Official Report, Vol 85, No 4, p3, col 1].*

With that relative uncertainty in mind, I ask the Finance Minister to take the opportunity of the debate to commit himself to making a budget available to Stranmillis that will meet its needs for as long as necessary. He will agree with me that it is a first-class institution and deserves the Assembly's support.

Recently, the Open University's activities were transferred from England to Northern Ireland, making it our third devolved university. The Minister has received clarification that the funds transferred for the Open University will remain ring-fenced. However, from 2015-16, those funds will form part of the overall funds available for higher education in Northern Ireland, and he intends to fund the Open University's activities on the same basis as other universities in Northern Ireland. Considering the work that the Open University carries out in providing facilities to learn while you earn and enabling those in employment to increase their educational abilities, will the Minister state that he can and intends to ring-fence the funding allocated to the Open University, even for a further number of years, to enable it to strengthen its position as the third university in Northern Ireland?

My last concern relates to the June monitoring round that has been presented to the Committee, in which there is a bid for £5 million for the Steps to Work programme. Should that bid be unsuccessful, is the implication that Steps to Work will be under pressure in the current year?

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I will focus on the budgetary and financial aspects of a few issues that are close to the Committee's heart. These topics have taken up substantial Committee time and are of considerable public interest.

I start with the recently published 'Going for Growth' report and its request for £400 million from central government. As all Members will be aware, agrifood and the development of a strategy for the agrifood industry is, for the first time, a key target in the Programme for Government. It is a target for which DARD and DETI share responsibility. I am Chair of the ARD Committee and sit on the ETI Committee, so this Programme for Government target is close to my heart.

The agrifood industry has great potential, but it also has great challenges. It currently employs 27,000 in food and drink processing and a further 47,000 in farming. The potential lies in its capacity for growth, and the 'Going for Growth' document indicates that there is a potential for another 15,000 jobs and a growth in sales of 60% to £7 billion. However, one of the main challenges is funding to kick-start this and the timescale for making that funding available. The Committee recently took evidence on 'Going for Growth' and was told:

*"We are working on a timetable that suggests that those are 2020 targets, but, frankly, a lot of that can be front-ended and fast-tracked if we have the right approach and attitude to it. We are suggesting that that £400 million is a three-year commitment starting*



*virtually immediately. We can do this over a longer period, but it would miss a lot of opportunities that are available to us today."*

It is estimated that, were government to invest that £400 million, it could lever in investment of over £1.3 billion from industry.

In evidence to the ARD Committee, we heard further details of how the £400 million would be spent. We were told that £250 million would be specifically for farm business development. A single agrifood marketing organisation, consolidating all marketing and promotional activity and established by government, would cost around £15 million a year. Clearly, that kind of money and that level of commitment are central to the premise that we can use the agrifood industry to grow ourselves out of recession and provide good, solid, well-paid jobs for the people of Northern Ireland.

**Mr McCarthy:** I am grateful to the Member for giving way. Although he is right to talk about the agrifood industry and the farming community, does he agree that we must never forget or lose sight of the fishing industry, which is part of the ARD Committee's remit? It is practically on its knees and must also be catered for. I hope that the Finance Minister can help.

**Mr Frew:** I thank the Member for his contribution. He is absolutely right. I am aggrieved at the way that the ARD Minister has reacted to the pressures that the fishing industry is under at this time. I will touch on that later in my speech if I get time, Mr McCarthy.

Importantly, those agrifood jobs would be spread throughout Northern Ireland and would not necessarily be concentrated around Belfast or any other hub for that matter. Clearly, that is a decision for the Executive to take. On behalf of the ARD Committee, I would welcome any indication that the Minister can give us today on the Executive's response to the proposal for £400 million. What consideration is being given to the timescale for delivery of the funding, which is just as important? Will it be available over three years, 10 years or somewhere in between? Specifically, what indications do we have that the £250 million for farm business development will happen? That is vital.

Look at the farming industry at present and at all the pressures that it has been under. They cannot relate to 'Going for Growth'. They are so restricted, depressed and looking down at their feet, in most cases, that they cannot look for inspiration in this document, even though there is a lot in it. There has to be a bridge between the plans, timescales, innovation and aspirations in 'Going for Growth' and the farming industry, to give the industry some relief.

I turn now to the second financial topic that has been exercising the Committee and, indeed, many individual MLAs, particularly those from the rural constituencies: the crisis that the farming industry has been hit with over the past nine to 12 months. There has been what some would call a perfect storm of rising input prices for things such as fertiliser, feed and energy. On top of that, we have the situation where the price paid to the farmer did not cover his or her costs, let alone allow for a profit. The weather then kicked in to horrible effect with the severity of the snowstorm in March and the impact of the poor weather

last summer. That affected fodder supply, even in this late spring of 2013. Difficulties with credit facilities and the squeeze by the banks have clearly not helped the situation. The Committee has explored all those aspects in some depth. We have spoken extensively to the farming industry, taken written and oral evidence from the supermarkets, made informal contact with the processors and had a very informative oral evidence session with the grain and feed merchants. Indeed, we will be taking evidence from all four main Northern Ireland banks on 27 June.

The impact of these factors on the farming industry has been immense. The combination of factors has pushed and could push more of what would otherwise be profitable farm businesses under. This crisis has been slow in rising, and farm businesses have slowly used up all their reserves of capital, capacity, money and fodder. Of course, there has been the very welcome emergency funding from the Executive for the hardship payment, worth some £3 million to those affected by the snowstorm in March, not least in my constituency of North Antrim, and the fodder scheme, worth £1 million. Although I do not wish to diminish the hardship felt by other sectors in our society, such as the construction industry and retail, farming is different, because there is a social aspect to it. Europe recognises that through the single farm payment and the common agricultural policy. Farming affects everyone, every household and every family, because it is what they eat, what is on their kitchen table or dining table on their plates, and it nourishes their children and family members. There is a social side to farming that none of us can choose to ignore.

The final issue I will raise is one not so much of finance but of a lack of resource planning. The Committee has been examining the DARD and Forest Service response to tree disease in Northern Ireland, particularly ash dieback. We have found that, although the response is good, there appears to be somewhat haphazard planning — or lack of planning — for resources, including finance, people and management systems. The initial and, indeed, essential response to the tree disease outbreak comes at the cost of other Forest Service activities. It cannot have any other reaction. However, the Committee cannot in all honesty say that additional resources are needed, because it has proven difficult to get definite resource information from the Department. What is clear is that some thought and effort needs to go into resource training. While all those resources are going into tackling that disease, it is taking people away from their daily and routine work. I believe that that will have an impact on the Department and the Forest Service in the coming months, maybe even years. I wish that DARD would concentrate on that. If it needs more resources, it should ask for them to get it through this.

## 2.15 pm

Another issue that I want to address, speaking in a DUP capacity, is the construction industry. People will know that I am steeped in that industry, having spent 20 years as an electrician and 10 years as a foreman electrician. I have seen the devastation in that industry. We need something to kick-start and help that industry. We need as much capital spend on buildings as possible to inject potential and growth in the construction industry.

The other thing that I will mention — Mr McCarthy, rightly, brought it up — is the fishing industry. It seems that the

Agriculture Minister has turned her face away from the fisheries industry. That is agrifood. There is food, as well as processing and transport. It is a major industry in Northern Ireland, and we must be in a position where we can offer support similar to the hardship fund for farming, because fisheries have also been hit hard by the weather and other issues such as the selective fishing gears. All of that has led to pressure on the fishing industry that it cannot afford. I ask the Executive to put pressure on the Agriculture Minister so that something is done —

**Mr Principal Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr Frew:** — to alleviate the pressures on that industry.

**Mr Wells:** I rise to raise a few issues as Deputy Chairperson of the Health Committee, and then I want to move on to the fishing industry in my capacity as MLA for South Down.

The budget for health under the CSR has been set at £4.65 billion, which equates to £2,583 for every man, woman and child in Northern Ireland, including just one extra, my grandson, who was born on Thursday and who will, hopefully, make very good use of his £2,583.

The Minister is to be congratulated because, when the CSR was being drawn up, he fought to ensure that there was a real terms growth of 1.9% in the health element of the DHSSPS budget. That was very welcome and showed a commitment by the Minister and the Executive to health, acknowledging just how important it is, not only in keeping us all fit, healthy and alive but also because there are 70,000 full-time equivalent jobs in the public element of the health service. There must be at least another 30,000 in the private sector in places like nursing homes and residential homes and among physiotherapists and opticians etc. When we see that, we realise that one in every 10 people in Northern Ireland who are employed work for the state in health, and another almost 50% of that number work in the private sector. It is a hugely important employer, and, as a result of the CSR agreement, much has been done to maintain that employment. Indeed, there have not been any compulsory redundancies at all in the health sector under the present dispensation. That is quite remarkable.

I well remember the former Minister of Health, Social Services and Public Safety, Mr McGimpsey, becoming the inevitable prophet of doom and predicting that there would be 4,000 redundancies in health as a result of the package that was agreed. That turned out to be absolute nonsense. I accept that there have been voluntary redundancies, early retirements and severance packages, but all of those have been entirely voluntary. No one has gone unless they wished to leave. Therefore, the health service — I accept that it is suffering huge stresses — is in a much better position than many predicted, given the economic downturn.

There are storm clouds on the horizon. No increase whatsoever was awarded in the social services element. We in Northern Ireland have an advantage in having a unified health, social services and public safety provision, but the one downside is that, in GB — England, Scotland and Wales — if there is a shortfall in social services provisions, that can be added to the rates that are charged by the relevant metropolitan county council or regional council. Therefore, when stresses show up, there is a

way of raising extra money. Because social services in Northern Ireland are financed entirely by the Budget allocated by the Minister of Finance we do not have that option. Therefore, there are considerable stresses in the social services element.

Whilst we accept that there has been a 1.9% real terms growth in provision for the health element of the DHSSPS budget, it has to be admitted that growth in demand is increasing at least three times faster than that. That is one of the reasons why some of the A&E statistics that we see in Northern Ireland at the moment cause so much concern. For various reasons, demand is rising rapidly. Some of it is to do with lifestyle choices such as drug addiction, alcohol, cigarettes or obesity, some of it is due to an ageing population, and some of it is due to an increase in population as a result, in particular, of net immigration. Therefore, there are considerable stresses. When we add to that the fact that medical inflation is running even faster at a higher rate, we realise that things can be very difficult.

Health is unique in that, every now and then, a very important new procedure or treatment comes along that, if we did not introduce it, would place our citizens at a disadvantage compared with the rest of the United Kingdom. That is an uncertain quantity that has arrived on the scene and has not been budgeted for. Tomorrow morning, I will present a petition to the Assembly that has been signed by 22,000 people who are asking the Minister of Health to introduce the new vaccine for meningitis B into Northern Ireland. As I have only three minutes to speak tomorrow morning, I will take a couple of minutes now to emphasise the importance of that issue.

Every elected Member in this Chamber has come across meningitis B. It is a dreadful condition that can take the life of young people, in particular, in a very short time. We had an awful tragedy in Rathfriland in my constituency 10 years ago, when a three-year-old boy died of meningitis B. As long as I am a public representative, I will never forget the faces of the parents of that young boy. They thought he had flu but then had the awful realisation that it could be meningitis.

There is a possibility that, on 12 June — Wednesday — when it meets in London, the Joint Committee on Vaccination and Immunisation (JCVI) could recommend that the meningitis B vaccine should be introduced in Northern Ireland. I am glad that Mrs Boyle is here today because, tomorrow morning, Sean Devine and his family will be in this Building with that petition in memory of their daughter Terri, who died of meningitis B. They will also take the petition to 10 Downing Street to plead for the introduction of the men B vaccination. Of course, that has to be paid for, and the Department will have to find the resources quite quickly to introduce it. Do I believe that it is good value for money? Yes, I do. It would be wonderful, in five years' time, not to have to consider the potential of children dying of meningitis because we would have wiped the condition out. We could go a long way towards that on Wednesday, if we get the right decision, but still the money has to be found. That is the difficulty. I therefore plead with the Minister to continue to exercise generosity when it comes to the distribution of monitoring round money to the Health Department. That type of extra, unexpected cash can be very readily spent and can have a huge impact.

Up to now, the Department has kept within its budget. Indeed, I always use the analogy of Houdini in a glass tank

with chains around his feet and hands, with three minutes to get out. Each year, that type of illustration applies to Health. It is possibly going to make it — is it going to make it? And then, on 31 March, we discover that, yet again, it has managed to get out of the tank, make all the budgets balance and come in on budget. That is getting more and more difficult every year, and I congratulate the staff who manage to achieve that in very difficult circumstances. They have done a fantastic job. We make it more and more difficult for them every year, and monitoring round money is a very effective way of releasing pressures that develop in the health service, perhaps more so than in any other Department. I urge the Minister to continue to exercise generosity in that particularly important aspect of funding.

As an obscure DUP Back-Bencher for South Down, I move on to the fishing industry. I agree entirely with Mr Frew. I have been approached by representatives of the fishing industry in recent months, and they do not resent the fact that the farming industry has had that much-needed £5 million of funding help because of bad weather. However, they make the point that, whilst the storms were raging on the land, they were also raging at sea. Their boats were tied up, and they were unable to go out and pursue their livelihood. The fishing industry has also had, to use Mr Frew's phrase, the "perfect storm" of very bad weather, incredibly high prices for fuel, increases in insurance and all the regulations that have to be adhered to. If they could achieve a small fraction of the subsidy that is, rightly, given to the farming community, that would go a long way to solving their difficulties. It is unfortunate that the Minister — she is not here today; I understand that she is not well — seems besotted by one sector and shows very little interest in the fishing community.

**Mr Frew:** I thank the Member for giving way. Does he agree that the fishing industry has made a tremendous move in helping the Department with the selective fishing gear that it is trying to use? That has put pressure on the industry with regard to the fish it can catch and the income it can bring in.

**Mr Wells:** Absolutely. The industry would say that it has worked with two Agriculture Ministers from the same party and that it is finding life a bit more difficult under this Minister than the previous one. There seems to be no meeting the industry halfway to try to help it out in this very difficult time. It is an industry that has huge added benefits in processing, yet it seems that it is being ignored.

**Mr Principal Deputy Speaker:** As Members will be aware, Question Time begins at 2.30 pm, so I suggest that the House takes its ease until then. This debate will continue immediately after Question Time, when the next Member to speak will be Anna Lo.

*The debate stood suspended.*

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

2.30 pm

## Oral Answers to Questions

### Office of the First Minister and deputy First Minister

#### Economy: Fiscal Measures

1. **Mr Brady** asked the First Minister and deputy First Minister, in light of the ongoing discussions with the British Government on the devolution of corporation tax powers and other economic proposals, to outline the Executive's priorities on fiscal levers which would stimulate economic growth. (AQO 4230/11-15)

**Mr P Robinson (The First Minister):** Pressing the Government for the devolution of corporation tax powers remains our key priority. We are examining the actions that can be taken forward now so that a devolved rate could be implemented as soon as possible after a positive decision by the UK Government in autumn 2014. While we are obviously disappointed that the Prime Minister does not intend to make a decision on the devolution of corporation tax powers until autumn 2014, the Executive remain committed to securing these powers to rebalance our economy, create jobs and increase prosperity. The coalition Government included exploring that idea in their Programme for Government. Similarly, we made it a key element of our policy. We, like the many hundreds of people who responded positively to the public consultation on this issue, believe that this measure, above all others, has the ability to deliver a step change in the performance of our economy. Devolution of this power would allow us to meet our shared objective of rebalancing our economy more quickly than would be the case if we are reliant on those policy levers that are currently available to us. The proposals being developed as part of the economic pact will also stimulate economic growth. It is intended that these measures will be put in place pending the decision on corporation tax powers.

We hope that an announcement can be made about the economic pact later this week. However, it is important to state that the measures being discussed as part of the economic pact are not sought as a replacement for corporation tax powers. The Executive will, therefore, continue to push for corporation tax powers to help provide the necessary stimulus to grow our economy going forward. We will consider the case for additional fiscal powers that may assist economic growth in Northern Ireland, though we are conscious of the implications for our block grant. The Finance Minister is pressing the Government to take action at a national level on issues such as fuel duty, short-haul air passenger duty and VAT for the hospitality and tourism sector and the construction sector.

**Mr Brady:** I thank the First Minister for his answer. It seems that the Tories have recognised the limitations of the system by which they finance devolved Administrations. How does the Minister propose we deal with local challenges under that system?

**Mr P Robinson:** The Executive, in their Programme for Government, highlighted that the central and key issue for them is the growth of our economy. There will always be limitations to what we can do, depending on the fiscal levers that are made available to us. We have recognised that if we share an island with a country that has a much lower level of corporation tax, that is an issue that has to be tackled. It disturbed me that some other parties in the House decided that we would not get corporation tax-setting powers and started an argument about the need for a plan B. The reality, of course, is that some of us stuck to our guns and kept our nerve on this issue. We continue to press the Prime Minister. The key element of this Friday, if that is the date that we can get the pact agreed with Her Majesty's Government, is not just the commitment that they will definitely take a decision in autumn 2014, but that, as important as that is to us, if it is a positive decision, it will be implemented during the term of this coalition Government.

**Mr Nesbitt:** In examining actions — *[Interruption.]* Perhaps that is HM Treasury ringing to answer the question for me. In examining actions, at any time did Her Majesty's Government try to make any kind of linkage or use leverage regarding corporation tax by bringing in other policies such as a single education system?

**Mr P Robinson:** The Prime Minister and the present and past Secretaries of State have always indicated that they are supportive of the issue of rebalancing our economy. All of them have indicated that they recognise that tax-setting powers for corporation tax is the single issue that has been most clearly identified. There has been no attempt on their part to indicate that we have to do something else before they will resolve that issue. The Government are as committed as the deputy First Minister and I are to pursuing a strategy on good relations, and they will encourage us to go down that line. They welcome what we have done and have been surprised, I think, that we have gone as far as we have as quickly as we have with the statement that we made and the strategy that we published. We get support from the Government on that, but they have never made it conditional to corporation tax powers.

**Mr Girvan:** What does the First Minister want to see in the economic pact? What hope does he have that the devolution of corporation tax will be achieved?

**Mr P Robinson:** There will, I hope, be a number of features to the pact that is being discussed with the Prime Minister and the Secretary of State. If our key focus has been on corporation tax, the big issue and the measure of success or failure will be whether there is a commitment to the implementation of the tax-setting powers during this term, if they are granted by the Government in the autumn of 2014. That was not the case when we last met the Prime Minister, and one reason for the suspension was to allow further consideration of that.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chéad-Aire as ucht a fhreagra, agus seo í mo cheist air. Has any progress been made on the allocation of enterprise zone status?

**Mr P Robinson:** I have some concerns about the issue of enterprise zone status. If the whole of Northern Ireland was being considered as an enterprise zone, I would be very much in favour of it. One difficulty that I have found

with previous enterprise zone exercises is that they are often the cause of displacement. You are not really adding jobs to our economy. You can boost an individual area but very often at the expense of adjoining areas because companies move into the enterprise zone. We have considered the issue, and if, in the wider context, it was thought suitable for the whole of Northern Ireland, we would welcome that. However, I retain the concerns that we may not bring in new jobs but simply move the jobs from one area to another.

**Mr Deputy Speaker:** I remind Members that their electronic equipment should not be interfering with the Chamber. If someone has their phone on, please turn it off.

## China: OFMDFM Visit

2. **Mr Ross** asked the First Minister and deputy First Minister for an update on the outcomes of their recent visit to China. (AQO 4231/11-15)

**Mr P Robinson:** Our recent mission to China was to further strengthen Government-to-Government relationships through a number of high-level meetings with Ministers in Beijing. We met Madam Liu Yandong, who visited Northern Ireland last year and has since been promoted to the position of vice-premier. Madam Liu has overall responsibility for science and technology, education, sports and culture, and sustainable development. We discussed the potential of opening a bureau representing the Northern Ireland Executive in Beijing, and we will explore that with Executive colleagues in the near future.

Through Madam Liu's invitation to visit China, we also held meetings with the Minister of Commerce and the Minister of Education. Those meetings were extremely useful and enabled us to progress a number of issues that we hope will result in expanding trade opportunities for local firms and Chinese Government investment in university and school partnerships. Our engagement with the influential Chinese Ministry of Foreign Affairs was an important step in opening key channels to increase foreign trade, economic co-operation and university links. Agreeing to that meeting was a strong signal of how seriously the Chinese Government are taking any potential partnership arrangements. We also met Education Minister Yuan Guiren and discussed our commitment to developing Northern Ireland's international links in the higher education sector. China is rightly considered a priority target country for Queen's University and the University of Ulster. We welcomed the opportunity to discuss existing and potential links with Minister Guiren and how we can develop our greatest asset, which is our people. Throughout the visit, we were supported by the Chinese People's Association for Friendship with Foreign Countries, and we believe that this relationship will now lead to further visits by Executive Ministers and organisations to negotiate on a range of tangible issues that will benefit local communities and Northern Ireland businesses.

**Mr Ross:** It is clear that, with a population of over one billion people, China is a part of the world that we want to develop our links with. The First Minister said they are considering opening a Northern Ireland bureau in Beijing. What is the likelihood of that happening, and what would the potential impact be on the Northern Ireland economy?

**Mr P Robinson:** We have a bureau in Washington and one in Brussels. Given the scale of the Chinese economy, there is trade potential for a small country such as Northern Ireland if it can get only a small part of the trillions that are spent by the Chinese people. That would have a massive impact. It is an important opportunity that should not be missed. We have an Invest Northern Ireland office in Shanghai, and we want to supplement the Northern Ireland presence in China. We believe, perhaps more than some other countries, that an awful lot of trade and business is dealt with directly through government sources, so it becomes more important to be in the governmental capital.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chéad-Aire as ucht a fhreagraí. What is the First Minister's assessment of the potential for local businesses through increased links with the Chinese market?

**Mr P Robinson:** As I said, the potential is massive, particularly in the agrifood sector. The deputy First Minister and I had discussions with Madam Liu in particular about the prospects, and she told us of the many million children who are born in China every year. There are advantages in powdered milk and milk products being exported to China, and the high standard of European food is recognised. Chinese people want quality food products, so there is great potential. No country in the world eats more pork than China, so there are great opportunities for Northern Ireland's agrifood industry.

Agrifood is not the only industry with potential. Wrightbus imports its buses to the Chinese market, and they can be seen on the streets of Hong Kong. Given that 1.3 billion people live in China, the transport industry also has potential.

**Mr Swann:** Given the positives from the visits to China, Brazil and India, has the First Minister any intention of amending the Programme for Government targets for export to emerging countries to ensure that they remain challenging and competitive?

**Mr P Robinson:** We are always happy to exceed our targets. When targets are met or look as though they are about to be met, we consider whether we should provide more challenging targets. If the target is on investment, we are always happy to see that Invest Northern Ireland has been successful in exceeding targets. With every Programme for Government, we have put higher benchmarks in place, and we will continue to do so. If we get close to meeting those targets, we will, of course, revise them upwards.

## North West 200

3. **Mr I McCrea** asked the First Minister and deputy First Minister for their assessment of the importance of the North West 200 and how it contributes to the economy. (AQO 4232/11-15)

**Mr P Robinson:** I do not believe that I am the best person to quantify the merits of the North West 200 objectively against the many other highlights that the Northern Ireland sporting calendar has to offer. However, having been to a number of races at the annual event in recent years as a guest of the Coleraine and District Motor Club and, before that, as an interested spectator, I assure the Member that the many thousands of road-racing enthusiasts who

descend on the north coast each year consider the North West 200, along with the Isle of Man TT week of racing, to be the highlight of the sporting year. It is the largest annual sporting event on the island of Ireland and continues to attract competitors and spectators from around the world. The North West 200 clearly makes a significant contribution to business in the north coast area and that is why the Department of Enterprise, Trade and Investment, the Northern Ireland Tourist Board and the Department of Culture, Arts and Leisure have supported the event financially in recent years.

## 2.45 pm

Of course, for all its organising ability, and even with the support of government, the one thing that the Coleraine and District Motor Club is unable to manage is our weather. As Members know, two of the past three years of the North West 200 have been significantly impacted by adverse weather conditions. As I said publicly, it is important that the organisers are given as much flexibility as possible to enable them to react to changing weather patterns. To that end, the Regional Development Minister advised the Executive last week that he will look urgently at amending legislation to increase the flexibility and ability to close roads at events such as the North West 200. That is an important step, and a necessary one if we are to preserve the status of the race meeting, for road racing enthusiasts and for the benefit of the local economy.

**Mr I McCrea:** I thank the First Minister for his response. He referred to the North West 200 as one of the largest sporting events in Northern Ireland. Not only is it a sporting event; it is a tourist event as well. Will the First Minister assure the House that this issue will continue to be on the Executive's agenda to ensure that the North West 200, which is an international event, receives the support that it requires?

**Mr P Robinson:** It is on the Executive's agenda. We have discussed it at two or three of the Executive's meetings. We have discussed the two elements: first, whether we can be more flexible as to when roads can be closed — and we are not talking about additional road closures, but the ability to vary the road closures depending on the weather — and, secondly, the contribution that the Executive make towards the funding. We have asked the appropriate Ministers — the Ministers of Culture, Arts and Leisure; Enterprise, Trade and Investment; and Regional Development — to discuss those issues and bring a report to us.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Will the First Minister outline what exactly has been agreed at Executive level with respect to flexibilities in road closures for any future North West 200?

**Mr P Robinson:** That is probably more appropriately a matter for the Minister for Regional Development, but I can indicate that he has informed Executive colleagues that it is possible to have a measure brought before the Assembly that would allow more flexibility as to on what hours, and on what days, the roads could be closed. That meets, as best the Executive can, the weather issues; though, I have to say that, even with that flexibility, a very long period of wet weather could still end up requiring the meetings to be terminated. However, it gives greater opportunity to the race organisers, and the Minister responsible for the Department for Regional Development

has already given instructions to prepare legislation to that effect.

**Mr Dallat:** The First Minister said that he was not the best person to comment on this. However, I would have thought that, as he once owned a Vespa, he was ideally suited to comment on the North West 200. Does he agree that probably the time has come now to invest in new infrastructure that will always benefit the North West 200 and give it sustainability beyond the time when it is, perhaps, acceptable to have it on the roads?

**Mr P Robinson:** I must tell the Member that the history of the Vespa ended in a crash that resulted in the vehicle being in two parts, so perhaps I am not the best person to comment on this. I spoke, rather, of the ability to put the North West 200 in context with other major sporting events in Northern Ireland. That is clearly something that requires more objective reasoning than someone who has a particular interest can give. It is a massive boost for the whole economy of the north-west, and particularly the north coast, including Coleraine. It is an event we want to continue to support. I am one of those who have lobbied the Minister to get more funding for the area. If you look at events that bring in similar crowds, they get a more attractive funding stream than the North West 200, so I think that there is a strong case. That is why, during the course of the Executive meeting, the Ministers have been asked to look at that issue and report back to us.

## Sexual Abuse Victims

4. **Mr Copeland** asked the First Minister and deputy First Minister to outline their plans for providing support for the victims of sexual abuse who are not covered by the historical institutional abuse inquiry. (AQO 4233/11-15)

**Mr P Robinson:** With your permission, Mr Deputy Speaker, I will ask junior Minister Jonathan Bell to answer that question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** Regardless of whether an individual is covered by the historical institutional abuse inquiry, there is a Lifeline service available 24 hours a day. Details of that service can be found on the website. Anyone who has suffered from sexual abuse, historical or otherwise, should report that to the PSNI. There are support mechanisms in place for those who do. In addition, considerable work has been undertaken in the development of the Northern Ireland regional sexual assault referral centre, or SARC as it is known, called the Rowan, which is a high-level outcome of the tackling sexual violence and abuse strategy. It is a partnership initiative between the Department of Health, Social Services and Public Safety and the Police Service of Northern Ireland, and is hosted and managed by the Northern Health and Social Care Trust. The service went live on Tuesday 7 May 2013, commencing with Police Service referrals in the first instance to enable the new practices and protocols to be embedded. A full service, which will include self-referral and third-party referral, will be available from 2 September. A staged implementation plan would be normal practice for other SARCs established across GB. The Rowan delivers a 24/7 service 365 days a year to victims of sexual crime. A victim who is referred to, or who attends, the Rowan is offered

a range of comprehensive services tailored to meet their identified needs.

**Mr Copeland:** I thank the junior Minister for a very fulsome answer. Is he aware of, and has he given any consideration to, the two briefing papers that were prepared by Amnesty International? One referred to clerical child abuse and the other covered the abuse in the Magdalene laundry-type institutions in Northern Ireland.

**Mr Bell:** Yes, I am aware of both, and junior Minister McCann and I are to have a meeting with Amnesty International in relation to those papers. In relation to abuse that has been perpetrated by the clergy and members of religious orders outside an institutional setting, that clerical abuse is no less important and no less emotive than institutional abuse. We are mindful of the equally destructive impact that that abuse has on individuals. As I said in the House before, following the inquiry into historical institutional abuse, it will be for the Executive to consider how to deal with the abuse that does not fall within the inquiry's terms of reference.

I know that there is a question later on about the Magdalene laundry, so I will touch on it briefly here. Anyone who was resident here in the Magdalene laundries or similar institutions as a child between 1922 and 1995 can go forward to the inquiry into historical institutional abuse to relate their experience. They will be able to talk in private to members of the inquiry's acknowledgement forum about their experiences. The contact details are available on the website. As I said before in the House, we have appointed a senior civil servant to draw up a scoping report on the Magdalene laundry-type institutions to see what further action should be taken. Junior Minister McCann and I have agreed to meet Patrick Corrigan of Amnesty International, and former residents of the Magdalene laundry-type institutions, to discuss the situation regarding those institutions that were here.

**Mr Campbell:** The junior Minister referred to the Lifeline service. Given the publicity that has attached itself to the inquiry from it was announced, has any evidence emerged of other types of institutional abuse through the Lifeline service or any other service?

**Mr Bell:** I know that several hundred people have contacted the inquiry. We have been very clear that it is an independent inquiry. It is being led by a former High Court judge, and it is for the inquiry to independently report back to us. Services are available for everyone who was affected by historical institutional abuse. A range of services is in place for those victims and survivors. Since October 2012, we have funded the WAVE Trauma Centre to provide a drop-in facility for victims and survivors in Londonderry. It welcomes all victims and survivors of historical institutional abuse, and it is available from 10.00 am to 12 noon every Friday. A qualified trauma counsellor is in place to support and help victims and survivors, as required. A similar meeting place was provided in Belfast city centre. It had not been used and was discontinued as of January 2013.

I want to make it clear that support is available for anyone who has suffered abuse. If that abuse is within the terms of reference of the inquiry, they can come forward and the procedures are in place. If it is outside those terms of reference, the Police Service and social services need to know about it not only to deal with what has occurred,

but to protect other children who may fall victim to those who have been guilty of perpetrating child sexual abuse. The Lifeline service is available for everyone, and the Department of Health, Social Services and Public Safety has a comprehensive range of support in place for any victim, whether or not they fall within the historical institutional abuse inquiry terms of reference.

**Ms McGahan:** I have been told by some people who have been to the acknowledgement forum that there is a great need for a follow-up service by the staff there. They made the point that it can take a few days before the full effect of having relived their trauma kicks in, and, as such, it would be appropriate if a mechanism were put in place to provide ongoing contact over several days to ensure that they are all right. Will the Minister speak with the acknowledgement forum staff to ensure that that happens?

**Mr Bell:** I can certainly speak with the staff of the inquiry about any matter that we have responsibility for. Our hearts and support are with those people. Remember, we chose the remit of institutional abuse because those children did not have a mother, father, stepmother, stepfather or any other caregiver to go to at probably the most vulnerable time of their lives. We will seek to do anything that we can to support and help victims and survivors.

I know professionally that, when you unpack some of the abuse that individuals have suffered, it can lead to a wide range of conflicting emotions, and incidents coming to the surface that may have lain dormant for some time. We can talk with the Wave Trauma Centre and those who have the professional expertise to help victims and survivors to make them aware, as I am sure they are already, that Members of this House have been approached and told that feelings, emotions, vulnerabilities, hurt and pain that has lain dormant has surfaced, is recurring and that they need a support service to deal with that pain.

I salute the bravery, courage and integrity of victims and survivors who have come forward in very difficult circumstances. That takes a huge amount of courage, and everyone in the House sends their best wishes to those who are engaged in the inquiry. We will do everything that we can to ensure that their experience, traumatic and difficult as it is, can be made as comfortable as possible.

3.00 pm

## Finance and Personnel

**Mr Deputy Speaker:** Questions 5, 7, 10, 11 and 12 have been transferred.

### Apartment Development Management Companies

1. **Mr McCarthy** asked the Minister of Finance and Personnel, following the publication of the Northern Ireland Law Commission report 'Apartments' — NILC 17(2013) — what plans he has to introduce legislation to regulate apartment development management companies. (AQO 4245/11-15)

**Mr Wilson (The Minister of Finance and Personnel):** First of all, I acknowledge the work that the Member has done on this issue and his patience in that he withdrew his private Member's Bill to allow for a more comprehensive

survey of what may be done in relation to this issue. That has taken far longer than I or he expected, so I appreciate his patience on this matter.

We now have the report, which has been presented by the Department of Justice. It contains a wide range of recommendations, some of which will require administrative action and some will require legislative action. The commission has recommended the regulation of managing agents rather than management companies and, in doing so, has favoured the Scottish model of regulation, which provides for complaints in respect of managing agents to be considered by a new body, the Homeowner Housing Panel. The Republic of Ireland has also established a new body — the Property Services Regulatory Authority — which oversees the licensing of a number of service providers, including managing agents, and promotes consumer awareness. The Republic has amended its law to provide for the establishment of owners' management companies, which are responsible for managing, maintaining and repairing the common areas in multi-unit developments.

We have to and will study the report to see which recommendations we want to go forward with, whether we want to amend some recommendations and, then, what legislation, if any, is required as a result of the decision we make on the recommendations.

**Mr McCarthy:** I thank the Minister for his response and his acknowledgement of the hard work that we did in 2010 for the private Member's Bill, only for the Law Commission to take over. Will the Minister acknowledge the concerns of apartment owners and dwellers that, until we have strong laws, unscrupulous people will or may continue to exploit the situation? Will he now give serious consideration to legislation to overcome those problems once and for all?

**Mr Wilson:** All of us who are constituency representatives will be well aware not of only the anxiety that this has caused many people but of the impact that it has had on their ability to sell properties that they have purchased in estates that were supposed to have common areas managed but that has not happened and there has not been proper management. In some cases, questions arise as to what happened to the funds that they put into the whole management arrangement.

I had hoped that we would have been in a position to make firmer proposals far sooner than this, but the Law Commission made a meal out of getting this report to us. We have it now, and we will look at the recommendations and seek a way forward as quickly as possible.

The one point that I would make to the Member — this has been difficult in the Republic and in Scotland — is the question of whether any law can deal retrospectively with problems that already exist or whether it is simply a law that will be devised to look at problems as they arise and maybe cover, through legislation, a problem related to that in the past.

**Mr McKay:** Does the Minister agree in principle that tenants and owners of apartments are entitled to equality of service with all other tenants and property owners? He has outlined that consideration will be given to the proposals. Can he give us an idea of the timescale for that?

**Mr Wilson:** I hope it will happen as quickly as possible. First of all, we have to look at the recommendations. We may have to query with the Law Commission why it made some of the recommendations and the thinking behind them and, after that, quickly start consultation on the steps forwards. I have no doubt that the Committee will have an important role to play, as will other interested Members.

**Mr Craig:** The Minister referred to Scotland. Will he outline what the Homeowner Housing Panel is and his view on whether something similar could be applied in Northern Ireland?

**Mr Wilson:** It is an independent decision-making body. It is separate from the Scottish Government and local authorities. It determines, first of all, applications from homeowners who consider that their property management agent has failed to carry out duties or to comply with the code of conduct. The panel will have independent members who are appointed by Scottish Ministers and specialise in housing and land management issues, as well as a legal representative and an industry representative. Administration for the panel is provided by Scottish Tribunals Service through support staff. The panel can deal with the issue of management companies and lays down the rules for such companies and makes sure that they are enforced.

## DFP: Flags and Flagpoles

2. **Ms McCorley** asked the Minister of Finance and Personnel how much his Department has spent on flags and flagpoles in the last five years. (AQO 4246/11-15)

**Mr Wilson:** The Department has spent £7 on flags and flagpoles in the past five years, so you can see that we get good bargains on our flags in Northern Ireland.

**Ms McCorley:** Does the Minister recognise that erecting flagpoles in Belfast city centre has the potential to raise tensions unnecessarily? Further to that, was there consultation with the people who work in those buildings before the decision was taken? Go raibh maith agat.

**Mr Wilson:** The question amazes me. The people who have objected to the steps that I have taken are responsible for the powers that I exercised. I am exercising my powers under the Flags Regulations (Northern Ireland) 2000. What was the origin of the regulations? The origin was the Belfast Agreement. Who negotiated the Belfast Agreement? It was Sinn Féin and the SDLP, who have been some of the most vociferous critics of this and who endorsed the agreement and encouraged people to vote for it. I could almost say, "Thank you" to the Member's party for encouraging people to give me the ability to erect flags on government buildings in Belfast city centre. I did not need to consult because, as I am reminded time and time again, the agreement was endorsed by the majority of people in Northern Ireland and the Irish Republic.

**Mr Campbell:** Does the Finance Minister agree that it would sometimes be better for those who pose such questions and their parties to ask themselves what was the origin of the flag problem on 3 December 2012? Had they not taken that decision then, perhaps the Finance Minister would not have had to take his.

**Mr Wilson:** I am afraid that the Finance Minister would have taken his decision anyway. Perhaps it was only because the issue was raised that my attention was

drawn to the law that enables me to fly the flag on public buildings. In my view, the best and most dignified way of expressing that Northern Ireland is part of the United Kingdom is not to have flags on every post along the road, sometimes left to lie in tatters; it is to fly them officially on government buildings. The decision to have the dignified flying of the flag on government buildings to indicate that they are part of the government of the United Kingdom and Northern Ireland was the right one. Regardless of whether the flag protests had ever happened or the issue had ever been raised, it was still the right decision, and I stand over it.

**Mr Allister:** I note the very modest expenditure involved. In light of that, can the Minister encourage his colleague the Culture Minister, who has had a budget of millions in respect of the UK city of what seems to be monoculture, to endorse the idea that it would be appropriate at some point during the UK City of Culture to allow the flying of the flag of the United Kingdom? She is on record, in an answer in the House, as saying that there will be no occasion when the UK flag will fly during the UK City of Culture. Likewise —

**Mr Deputy Speaker:** The Member has placed his question.

**Mr Allister:** Likewise, she seems to want to get to the same position with the World Police and Fire Games.

**Mr Deputy Speaker:** The Member has placed his question.

**Mr Allister:** Can the Minister encourage her, in all the squander that she undertakes, to spend some money in this direction?

**Mr Wilson:** I wish that it were in my power to direct her to do so. There is an anomaly: on one hand, the Minister and others wish to capitalise on the advantages that the UK City of Culture coming to Londonderry can have for the economy and profile of the city, while, at the same time, they do not wish to recognise the ultimate symbol of the UK, namely, the flag of the country.

## Apartment Development Management Companies

3. **Mrs Cochrane** asked the Minister of Finance and Personnel for his assessment of the position of the Northern Ireland Law Commission on the regulation of apartment development management companies. (AQO 4247/11-15)

**Mr Wilson:** The commission mooted the possibility of a new, simpler form of company for management companies, and it appears that the option was very attractive to consultees. However, ultimately, the commission concluded that a new form of company might not be an effective solution in the shorter term. It went on to suggest that administrative requirements for the management companies could be modified and adapted. However, it is not entirely clear what the commission has in mind in that regard. That is one of the reasons why I said in an earlier answer that I would like to explore some of the thinking behind the recommendations that it made. Given the specific legislation that was required in the Irish Republic to regulate the operations of the owners' management companies, it might not be possible to achieve as big an impact by simply changing things at administrative level, and legislation may well be required.



**Mrs Cochrane:** I thank the Minister for his answer. Given that there is a bit of a grey area on this aspect and that some may say that part of it is consumer law, can the Minister confirm that, if he feels that legislation should come forward, it should come forward through DFP?

**Mr Wilson:** There is a range of law involved here; there is company law, consumer law and property law. I do not mind which Department it comes through. I do not think that it is in the interests of those who are affected by this to have an interdepartmental squabble as to who should have ownership of the legislation. To me, a grave problem has been identified, and now we have to find the most effective and quickest way of dealing with that problem to make sure that management agents and/or companies are brought under some kind of control and that, where they feel aggrieved, people can use an appeal mechanism to have their grievance dealt with.

**Mr Weir:** What role does the national Property Services Regulatory Authority have to play in the issue?

**Mr Wilson:** The national Property Services Regulatory Authority has been set up in the Republic, and it does a number of things. This will be one of the things that we will want to look at. It provides for a comprehensive licensing system that covers all the property service providers. First, there will be a licence. Secondly, it will investigate and adjudicate on complaints that are made against those property service providers. It also has an audit and inspection function of the operation. It does not just sit back and wait for complaints; it will go in and investigate. There is a proactive element to it. It also sets down minimum qualification standards for anybody who wishes to set up such a company.

When Members raised this matter in the Assembly, I imagine that those are the kinds of issues that they wanted dealt with. The questions are these: can we deal with this in an administrative way, what legislation, if any, do we require and how quickly can we move towards that?

3.15 pm

## Business: Non-domestic Rates

4. **Mr Easton** asked the Minister of Finance and Personnel to outline the response of the business community to the non-domestic rates evaluation. (AQO 4248/11-15)

**Mr Wilson:** I am glad that the Member has asked the question. It raises important points that I have been trying to get across to the business community over the past number of weeks.

The Department is undertaking the exercise in response to calls from the business community for a rates revaluation, despite the fact that the Westminster, Scottish and Welsh Governments have all decided to postpone theirs until 2017. That said, it is a difficult time to do it, but I believe that it is the right thing to do. It is difficult because the property market is in some turmoil, and it is difficult to establish long-term rents. Rents have gone down since the boom days. My fear is that everybody thinks that they will be a winner and that, because rents have come down, rates will also go down. I emphasise that we want to get the same amount of money from rates. What may happen is that, in relative terms, some people's rents will have gone down more than others', so they will benefit. Some

people's rents will have gone down less than others, so they will have to pay more.

The rental market is difficult to read during this prolonged recession, which is why I encourage people to make responses. Forty-five thousand businesses have been canvassed. To date, around 7,000 businesses have responded. The more information that we have about the market, the more accurately we can undertake the revaluation exercise. If we do not have the information, we will have to make a best guess.

**Mr Easton:** I thank the Minister for his answer. What will happen if the business community provides insufficient evidence for the evaluation?

**Mr Wilson:** I do not want to contemplate that happening because it is in businesses' interests to respond so that we have the best information possible to establish net annual values (NAVs) across the Province and, therefore, what should happen to people's rates. I encourage businesses to go online and fill in their response so that we have the best information. If that does not work, we will have to base assessments on the evidence that is available, which will probably result in many assessments not being right the first time. It will mean additional work as people make appeals and cases against assessments. I would rather that we got it right the first time rather than put people through the operation of having to appeal the initial assessments because our information was incomplete.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an mhéid a dúirt sé.

As the Minister said, many businesses have expectations that revaluation will lead to a lowering of rates. That has been evident in many radio broadcasts. What action does the Minister intend to take to manage those expectations?

**Mr Wilson:** The first action is to get the message across. Many business organisations have now got the message that we will not be looking to take any more or any less money in rates from businesses after the revaluation is finished. We will be looking to get the same pot of money. Do not forget that the Executive are committed to a 0% real increase in the amount of money that we take from businesses. However, some businesses will pay more because economic conditions have moved in their favour. Maybe the market has pushed consumers towards certain types of business or certain areas. Some businesses will pay less because their areas or locations have had a fall in customer numbers, footfall or economic activity, which will be reflected in the relative rents that they pay. So the same amount of money will be gathered, but it will simply be gathered in a different way. As a result of revaluation, there will be winners and losers.

The second thing is that, where there are big changes in the amount of money that businesses pay, there will be — we did this last time, and there is no reason why the Executive will not make the decision this time as well — an interim arrangement whereby the increases are introduced gradually. So, nobody should be hit with a massive increase in their rates bill, but they will know that, within two years, it will build up to a certain level.

**Mr Swann:** Looking to SMEs, which are the other side of our businesses, what is the current uptake for the

rate relief scheme for empty shops, following its recent introduction?

**Mr Wilson:** To date, there have been, I think, well over 120 — I do not have the exact figure, but it is well over 120 — across all council areas. That has resulted in new businesses starting up and hundreds of jobs being created. Obviously, I would like to see more of that happening. A 50% reduction in rates in the first year, which, of course, is the most difficult year for a new business, is an important concession. The pleasing thing is that that innovation in Northern Ireland has now been copied by other Administrations across the United Kingdom.

**Mr Deputy Speaker:** Question 5 has been withdrawn and transferred to OFMDFM.

## Government: Revenue

6. **Mr McMullan** asked the Minister of Finance and Personnel to outline the relationship between locally generated revenue and the British Consolidated Fund. (AQO 4250/11-15)

**Mr Wilson:** Broadly speaking, all tax generated locally is due to the UK Consolidated Fund. Some other receipts, most notably rates, which we just talked about, are a devolved responsibility and are lodged with the Northern Ireland Consolidated Fund. Some other receipts, such as minor items of revenue from fines, levies and penalties, also go into the Northern Ireland Consolidated Fund. However, most taxes raised in Northern Ireland go into the UK Consolidated Fund.

**Mr McMullan:** Go raibh maith agat. I thank the Minister for his answer. Many people are not aware that the majority of revenue generated here enters the central pot in Britain. Can the Minister indicate the manner in which the current situation that he just described benefits our economy?

**Mr Wilson:** Most people should be aware that, although we put some in, we get twice as much out. It is actually of benefit that we do not have to rely solely on tax revenue generated here in Northern Ireland and that it is supplemented by the block grant and the addition to the block grant, which well exceeds the taxes raised in Northern Ireland. Our taxes are paid into the Consolidated Fund, and twice as much comes back out again. I think that that is a fairly good bargain. Of course, that is the bargain that we have because we are part of the United Kingdom. How much poorer would we be if the only money available to the Executive and the Assembly was that which was generated in Northern Ireland?

**Mr Rogers:** The contingency fund is part of the Consolidated Fund. What access do the Executive have to that fund?

**Mr Wilson:** The contingency fund is held centrally by government for exceptional circumstances. In some cases, it is anticipated that exceptional circumstances might occur around, for example, security etc, and we can draw down from the contingency fund for that. If a particular disaster or issue were to hit Northern Ireland or was UK-wide, an allocation would be made from the contingency fund. If the Government were to spend, say, £100 million, we would get our Barnett consequential from that. If the issue was particular to Northern Ireland, with exceptional circumstances leading to exceptional expenditure, it would,

of course, be up to me and the Executive to negotiate with Treasury for drawdown from the contingency fund.

**Mr Deputy Speaker:** Question 7 has been withdrawn and transferred to the Department of Enterprise, Trade and Investment.

## Economy: Fiscal Measures

8. **Mr Flanagan** asked the Minister of Finance and Personnel to outline the priorities for the devolution of fiscal levers to stimulate economic growth. (AQO 4252/11-15)

**Mr Wilson:** Although we are very disappointed that the Prime Minister does not intend to make a decision on the devolution of corporation tax until after the Scottish independence referendum in autumn 2014, the Executive remain committed to securing those powers, and that remains our number one priority.

Officials are examining actions that could be taken forward now so that a devolved rate could be implemented as soon as possible after a positive decision by the Government. I would be reluctant to seek additional fiscal powers that require a block grant reduction while the possibility of securing corporation tax powers remains.

As I pointed out in an earlier answer to the Member's colleague, the more fiscal autonomy we have here in Northern Ireland, the greater the possibility that the Treasury may well say, with regard to the additional money that they put into the block grant, "If you wish to stand on your own two feet, we are happy for you to do that". We could finish up much poorer in Northern Ireland.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers. It is good to see that he is using the conditional tense now. There is a question over the accuracy of the figures that he has quoted. Given that the Tory Government have stated clearly that there are limitations in how they finance the devolved Administrations, does the Minister agree that it is now time for a more strategic approach to fiscal powers here in the North?

**Mr Wilson:** Can I just nail this nonsense? The Member and his party have asked me I do not know how many questions about how much money is raised in Northern Ireland and how much money comes from the United Kingdom. One thing I will make clear to the Member is that, no matter how much he and his party try to wriggle, we are billions — not millions — of pounds better off as part of the United Kingdom. That might stick in his throat, and he might like that not to be the case, but it is. To talk about the figures being inaccurate as though, somehow or other, the billions of pounds of additional money that we get as a result of our membership of the United Kingdom would somehow disappear is the kind of fairy tale economics that Sinn Féin is so good at and that leaves them looking stupid on many occasions when they take part in economic debates.

I have already stated that I do not believe that there is a case for obtaining or seeking widespread additional fiscal powers for Northern Ireland. Where there is a good case to be made and there is a good economic rationale behind it, I will throw all my weight behind it. Look at the efforts that Arlene Foster and I put into securing the abolition of air passenger duty for long-haul flights: that is an indication

that I will not shy away from seeking additional fiscal powers when they are beneficial, but only when they are beneficial and not for the political reasons that Sinn Féin would seek them, even though it might leave the people of Northern Ireland impoverished.

**Mrs Overend:** Further to what the Minister has said about the strength of being part of the United Kingdom, will he inform the House what consideration he has given to the outworkings of the Silk commission in Wales and the Scotland Act 2012?

**Mr Wilson:** Scotland and Wales, especially Scotland, are following their own agendas. The Scottish National Party Government wish to have greater fiscal autonomy and are pursuing that. Whether that is a wise course of action is a matter entirely for them and the people of Scotland. As I have said, I am not convinced that there are sound grounds for seeking the widespread devolution of fiscal powers for Northern Ireland, although where there is a case made for individual taxes to be devolved, after consideration of the costs and the benefits, if the benefits outweigh the costs, of course serious consideration ought to be given to it.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. The Minister mentioned earlier that officials were currently looking at other options around corporation tax. Will he outline any further steps that the Executive are taking now that Prime Minister Cameron has kicked it down the line until after the results of the Scottish devolution referendum?

3.30 pm

**Mr Wilson:** Just to correct the Member: I said that officials were examining the actions that need to be taken so that, once a decision was made about the devolution of corporation tax, we had the mechanisms and regime that we needed in place so that there was not a further period of delay after the decision had been made. However, he raises an important issue: we should not simply mark time while we wait for that. There are a number of proposals that we have been suggesting in the economic pact that the First Minister and deputy First Minister have been speaking to the Prime Minister about. We regard those very much as interim arrangements that would help to deal with some of the economic difficulties that we have over the next number of months and years while we wait for a decision to be finally made by the Government on corporation tax.

## Executive Committee Business

### Main Estimates 2013-14

*Debate resumed on motion:*

*That this Assembly approves that a sum not exceeding £8,271,268,000 be granted out of the Consolidated Fund for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 and that resources not exceeding £8,558,118,000 be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 as summarised for each Department or other public body in columns 3(b) and 3(a) of table 1.3 in the volume of the Northern Ireland Estimates 2013-14 that was laid before the Assembly on 29 May 2013. — [Mr Wilson (The Minister of Finance and Personnel).]*

**Ms Lo (The Chairperson of the Committee for the Environment):** I welcome the opportunity to outline

the views of the Environment Committee on the Supply resolution for the Main Estimates for 2013-14.

In a recent briefing to the Committee, departmental officials highlighted the decrease in the Department's current expenditure budget by £3.2 million, which is a fall of 2.6% on its 2012-13 allocation and a fall of 6.9% on its baseline 2010-11 allocation. The Committee has also noted that, with no real resurgence in the construction industry, the Department's income from planning applications is unlikely to rise for the foreseeable Budget period. The Committee has previously welcomed the measures put in place to minimise the effect of that.

Revenue generated from the recent introduction of the carrier bags levy is also unlikely to compensate for the amount of £4 million removed from the budget, so the Committee has expressed its support for the bid submitted under the June monitoring round to cover the net deficit arising from that. Obviously, the Committee has concerns as to how the overall reduction in funding is likely to impact on the service delivery of the Department. The Committee feels very strongly that progress in achieving targets on river basin management plans has been severely hampered by inadequate funding.

The overall status of water bodies in Northern Ireland has not changed significantly since 2009, with only 29% currently at "good" status. The status of our largest inland water, Lough Neagh, is in the lowest possible category. That is particularly concerning to the Committee as it is the source of 40% of our tap water. The importance of meeting the requirements of the water framework directive has not been recognised in the Estimates. Extra resources are required, not only to address the environmental

considerations of providing clean water but to avoid the payment of heavy EU infraction fines.

The Committee has also expressed reservations on the funding of local government reform. A wide range of costs has been identified, from expenditure associated with the possible relocation of headquarters and ICT changes to severance payments for councillors. The Committee believes that it is imperative that the process is adequately funded to ensure the success of the transition to the new councils. For that reason, the Committee was content to support the Department's bid in its June monitoring round submission for an additional £5.05 million to fund local government reform. I understand that that funding has already been agreed by the Executive.

I will now make some comments as the Alliance spokesperson for the environment. I believe that, for a Department with such a vast range of responsibilities, the budget for the Department of the Environment is inadequate, and does not reflect the need to protect and enhance our built and natural environment. The comparatively small spending allocation does not provide a positive message to the public from the Assembly that we care greatly about our environment. It also does not suggest that we care greatly about climate change, renewable energy or road safety, which are just some of the many issues the Department deals with that impact profoundly on our lives now and in the future.

Already struggling from an ever-diminishing financial allocation, the Department's position was made worse when £4 million was taken away from its budget, as that was expected to be recouped from the carrier bag levy. With some shops noting a 98% drop in the use of carrier bags, it now seems unlikely that anywhere near that amount of money will be raised, and I am concerned that projects that were earmarked for funding through that will lose out on much-needed investment if the departmental bid is not successful this time around. I believe that the principle of taking that money from the Department's budget was wrong in the first place. If we look at other examples, such as Wales, any money that was collected from the levy was additional to the Department's budget, and it was given to the voluntary sector for innovative and extra work to enhance the environment. I believe that that should have been the case in Northern Ireland.

As I have said before in the House, we are blessed with a rich and diverse natural and built environment, with clean air and water; beautiful countryside; lovely beaches, with or without the sunshine; and abundant wildlife, some of which is unique to Northern Ireland. Surely, it is our duty to effectively conserve and enhance our heritage for this and future generations to enjoy. Doing that will require adequate resources and a place higher up the Executive's priorities. A healthy environment will produce healthier people and a healthier economy.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a LeasCheann Comhairle. I will speak initially as the Chair of the Committee for Enterprise, Trade and Investment.

As the economy is the Executive's number one priority, the Committee has always believed that it is important that Invest NI be resourced to meet current commitments and to deliver on future opportunities that present themselves. During last week's meeting on the June monitoring round

— unfortunately we did not get the papers well in advance, but, nevertheless, we did what we could with them — the Committee for Enterprise, Trade and Investment considered bids from Invest NI for £5 million for the growth loan fund, £2.3 million for the Northern Ireland spin-out initiatives that support start-up and early-stage businesses and £1.7 million for the small business loan fund. The Department stated that it may be necessary to bid for a further £2 million to £4 million later in the year, depending on the performance of those funds. I have heard that those funds have been useful in stimulating some growth in business and, in particular, job creation support schemes.

The Committee also noted that Invest NI activity has increased over the past 12 months, with work in progress increasing by 105%. This has led to a resource bid of £4.5 million to cover expected pressures from an increased number of Skills Funding Agency (SFA) and R&D projects. Although it is heartening to see this increased level of activity in Invest NI, it is regrettable that Invest NI has to bid for funds. Invest NI is expecting to see an increase in this sort of activity, so it is essential that funds are made available now and in the future to meet demand. As the Finance Minister will know, the Committee has always supported the view that Invest NI should be provided with greater budget flexibility. The Department has informed the Committee that the tentative signs of recovery are increasing budget pressures in Invest NI. Although the Minister has provided assurances, Invest NI should be in a position to plan and move forward confidently, without having to regularly refer to the Finance Minister to make sure that appropriate financial support will be provided to secure private sector business investment and desperately needed jobs in the community.

When the Committee for Finance and Personnel was briefed on the Main Estimates in May, members were told that DETI was being allocated £4 million for something called studio capacity. The Committee would welcome more information on what that is and how, in fact, the money may be spent.

I will speak now as an MLA and as Chair of the all-party Assembly working group on construction. Some reference has been made to projects, and my colleague Alban Maginness referred to the provision of the policing and emergency services college at Desertcreat, which brings us back to this concept of spade-ready projects that many, particularly in the construction industry, hear of. The point must be made, and it is one that I am sure the Minister will readily hear, that the construction industry is crying out for those spade-ready projects, whether in roads or otherwise. The diversion, for want of a better phrase, of funding as a consequence of A5 project gives rise to the potential of other roads projects, the likes of newbuild schools and health estate projects. I would appreciate the Minister putting on record when those deliberations around reductions and adjustments in finances could ultimately lead to something happening on the site at Desertcreat, where not only the construction industry but services and the local economy in the Cookstown, Dungannon and south Derry areas are particularly looking ahead to that project. I attended a meeting with the Chamber of Commerce, and some members there are living in hope that the project will go ahead but others voiced some scepticism because they think that, in fact, it may not go ahead. I sought to reassure them as best I could, but,

inevitably, the man with the money, Minister Wilson, is in a better position than I am to do that.

On the construction industry again, last time, unfortunately, £15 million was, for whatever reason, handed back from the social housing budget. Social housing is a great investment, not only in providing people with a roof over their head, although many coming through difficult circumstances as a result of the recession need such housing, but like the other spade-ready projects, it provides tangible employment in the community. Similarly, the retrofitting of homes in the public and private sectors — that green new deal package or, I emphasise, its best elements — leads to fuel savings and addresses issues of fuel poverty in people's homes. It also creates work and saves our environment.

A final thing on the green issue, and I know that the Department of Enterprise, Trade and Investment has taken an interest in this: will the Minister look at the potential that may arise from the new green investment bank for projects? With a bit of support and, in some cases, a little nudging from the respective Departments, we can see coming to the fore a variety of projects that could, as with the others that I mentioned, give a huge injection to the construction industry, help with employment and, through the green new deal and green investment bank, help our environment. If there are potentials, and if issues and opportunities arise around funding that may be available there, will the Minister shed some light on what his Department is doing to help realise those opportunities, particularly in the business sector?

That is my submission on behalf of the Committee and while wearing my other respective hats in and around the Assembly.

### 3.45 pm

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I will speak as Committee Chair to begin with.

The Committee was briefed by officials on the 2013-14 opening budget and June monitoring round at its meeting on 29 May this year; a meeting that should, of course, have allowed members time to consider the Department's position. Unfortunately, some papers were received just 30 minutes prior to the Committee's meeting. I note the criticism from the Chair of the Committee for Enterprise, Trade and Investment on a similar issue. Those 30 minutes left the Committee insufficient time to consider the proposals in any detail. As a one-off, perhaps that is something you could ignore, but it is a recurring theme, I believe, not just between the Department and the Committee for the Office of the First Minister and deputy First Minister but between all our Executive Departments, or indeed most of them, and their respective Committees. Let me repeat what I have said in Committee: we are there to scrutinise, and that is not to be conflated with criticise. When you scrutinise, you may then turn around and support and praise the Department for its work. So, I do not understand why it is that we are getting late papers, particularly with regard to core financial information.

At the meeting, the Department advised that its opening resource budget was £73.9 million, a reduction of around £6 million compared with last year's figures. The Department highlighted that it was a particularly

challenging allocation for this year due to additional pressures on the Department. However, at the same 29 May meeting, I think that it is fair to say that not one member of the Committee could claim with any confidence to fully understand the financial info as presented. So, there are two issues for the Minister to address: one being timeliness, the other being clarity.

One of the additional pressures I have just mentioned is in relation to the inquiry into historical institutional abuse. The Committee was advised, during the Committee Stage of the Bill, that costs were estimated at between £15 million and £19 million over the lifetime of the inquiry and that the necessary funds would be made available despite there being no baseline in the budget. I believe that the June monitoring round will see a bid put forward by the Department of some £3.8 million.

There is an issue with regard to the regeneration of former military sites, particularly Shackleton barracks, where there is no baseline for ongoing security and maintenance costs, which are significant for such a large site. The Committee was advised that it costs around £500,000 to £600,000 per annum for security, maintenance and pumping, as the site is below the waterline. Again, there is a capital bid in the June monitoring round for £1.3 million to cover the costs of those sites gifted by the Ministry of Defence in the Hillsborough agreement.

There will be significant expenditure in relation to the First Minister and deputy First Minister's recent statement on Together: Building a United Community. Junior Minister Bell mentioned on BBC television a figure of some £500 million over the next couple of years. Again, that is something that the Committee will take a view on in the coming months.

The Committee will continue to monitor the various Executive funds, such as the social investment fund and childcare fund, to ensure that spending is targeted and outcome-based.

Mr Deputy Speaker, I will speak now as a Member of the House rather than as the Chair of the Committee. I mentioned the bid in the June monitoring round for the historical institutional abuse inquiry. It is crucial that the inquiry is appropriately funded. There are concerns about the current support. During Question Time, junior Minister Bell talked about the two hours' counselling provided by WAVE. The Committee has had approaches from those who have already engaged in the inquiry. With your permission, I will read into the record a couple of quotes. The first is from somebody on behalf of a female who attended the inquiry. The witness said:

*"She has not been well lately because of there being no support services or counselling in place after she came from the inquiry, just like many others before and after her. We will be fighting for support services for more than the two hours offered on a Friday morning and to have a clinical psychologist, somebody who genuinely understands and can help victims come through their pain."*

Another witness was a man who attended the historical institutional abuse inquiry and was then trying to seek appropriate counselling. He wrote:

*"I didn't want to do Tuesdays and I asked for Thursdays, but she did not want to lose money not*

*seeing me on Tuesday, so it seemed that her money was more important than I was. She had the gall to say, 'Come up to the Ormeau Road to talk on Thursday.' The cheek of it. That is where I suffered so badly with nuns. I was shocked and sickened and felt so alone. Help is what I need."*

I hope that the Minister will take those testimonies on board as the June monitoring round and further costs come to his door for the historical institutional abuse inquiry. As junior Minister Jonathan Bell said, people have suffered in non-institutional settings. I make the plea to the Minister to think of making funding available for a second process. Junior Minister Bell says that you can go to the PSNI or to social services, but why do we have an inquiry whereby, when you knock on the door and say that you were abused, the first thing that happens is that the person at the door shows you a list of venues and asks whether you were abused at one of those venues. If the answer is yes, they ask you to come in and say that they will help you, but if the answer is no because you were abused at a different venue, the door is metaphorically slammed in your face, and you are told to try the PSNI or social services. There is a basic inequality.

Will the Minister make clear at what point a military site such as Shackleton Barracks will cost us more to maintain than to sell? I understand that there was an attempt to value Shackleton Barracks, with a view to selling. Surely, at £500,000 to £600,000 a year, the time will come quite rapidly when it has cost the Executive more to hold on to the barracks, and it would have to say, "Thank you, but no thank you" to the MoD.

The social investment fund was originally £80 million over four years; it now appears to be £80 million over two years. I would welcome clarity from the Minister on the spending patterns. Will the full £80 million be spent within the time frame of the CSR, and will it be spent in an equitable manner? In lieu of the social investment fund last year, the six signature projects were announced. Will the Minister tell us how much has been spent and what the spending profile is for those over the next couple of years?

At least one Member mentioned the childcare strategy: £12 million effectively in the bank. Very little of that money has been spent, but up to 50% has been allocated before the production of a strategy. Of course, there is the big issue of what are the spending plans for Together: Building a United Community, and where will the money come from?

I have the OFMDFM resource budgets for CSR 10 by programme. This is something to read into the record. It was provided to the Committee by the departmental Assembly liaison officer, who said that it is the initial 2010 four-year budget and is attached at annex A. The Community Relations Council has a year-on-year budget of around £3.5 million. Will the Minister make clear the implications of that budget line with the introduction of the proposed equality and good relations committee? Will the budget for that new body impact on the £3.5 million for the Community Relations Council? The Attorney General gets an uplift of £250,000. Is there any particular reason why Mr Larkin needs more money? We also have the peace-building and conflict resolution centre. At a briefing, we heard that it will cost £650,000 per annum by subvention. The deputy First Minister told the House that it could generate a profit of £1 million.

Finally, in annex A of the resource budgets for this year and next year, but not the previous two years of the CSR, there is a budget line for a public assemblies, parades and protests body. That phrase came out of the Hillsborough agreement when the DUP and Sinn Féin attempted to sort out parading and said to leave it up to them and that they would come up with a new way of doing things. They were proposing a public assemblies, parades and protests body, for which they have budgeted £2.2 million for this year and £2.390 million for next year, which amounts to £4.5 million for a body that does not exist. Perhaps the Minister will explain that in his closing comments.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. It is probably the only time in the history of the Assembly that the Minister has had everyone saying nice things about him, not attacking him, but putting him in a good mood. Maybe the bit of sun at the weekend was the best thing that could have happened for you, Minister?

**Mr Wilson:** It would take more than that to put me in a good mood.

**Ms S Ramsey:** Having listened to some contributors to the debate, there are questions that officials from all Departments need to answer to their respective Committees. They also need to present paperwork to Committees earlier so that we can carry out our role of scrutinising what Departments are doing. We are not there for the sake of constantly battling with departmental officials. I say to them all the time that I do not want to fight with them every week. I want them to give me the relevant information. It is about having a partnership approach to ensure that we get the best outcomes for the people we represent.

The Committee for Health, Social Services and Public Safety met departmental officials on 29 May to explore some of the challenges facing the Department in its 2013-14 budget. The officials told the Committee that the Department is facing a funding shortfall this year and has, therefore, decided to submit significant bids in the June monitoring round. One of the main areas that needs extra funding is the transitional cost for implementing Transforming Your Care, or TYC as it is known. Some Members probably did not know what TYC was until a few weeks ago when we had the debacle around the residential care homes. There is a concern that this policy and vision is in place, whether or not it was voted on in this Assembly, and, every so often, the Department comes to us to say that it needs additional money to implement it.

**Mr McCarthy:** I thank the Member for giving way. Does she agree that it was rather disappointing that, when the officials came to the Committee a couple of weeks ago to talk about the June monitoring round, they were not in a position to tell us exactly what the funding was for domiciliary care, on which so much of Transforming Your Care depends?

**Ms S Ramsey:** I am going to cover that point near the end of my remarks on behalf of the Committee. The Member is right; domiciliary care is an important part of Transforming Your Care. When we talk about bringing more services out of the acute/hospital sector and into the primary care/community care sector, it is important to get that right,

and domiciliary care is a key component of Transforming Your Care.

*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

The Department told us that is estimated that £70 million is required to implement TYC between 2012 and 2015. Last year, the Department received £19 million through the invest-to-save scheme, and it is bidding for £28 million in June monitoring to cover the current financial year. As Chairperson of the Committee, I would be mad not to hope that the Department gets additional funding, and the Committee welcomes the bid for money to implement Transforming Your Care, but we were disappointed that officials could not provide us with the detail on what the money will be spent on. The Deputy Chairperson of the Committee covered that when he was talking about additional nursing staff.

We have been trying to probe further in order to find out whether that money will go towards creating new jobs so that Transforming Your Care is implemented. Will new jobs be created in health and social care? If so, in which professions, and in which locations will they be based? What new posts are required to support integrated care partnerships, which are a key theme of Transforming Your Care? How much money is going into domiciliary care? That is the question that Kieran McCarthy asked. These are all important questions to which the Committee needs answers so that we can carry out our role.

The Committee was also concerned that a bid has gone in for external consultants — not medical consultants — to be part of the management process for implementing TYC. Members will recall that the same issue came up a number of months ago when money was given to external consultants to develop population plans. One of the key questions asked by our Committee was this: why are we paying good money to consultants to tell us our population plans when the Health and Social Care Board and the trusts should have that information? If they are delivering services to a population, it seems silly that they do not know the size or the needs of that population.

#### 4.00 pm

The Department is very large and it employs some very clever people, some of whom have been there for a long time. The Department includes the board and the Business Services Organisation. Some of the people involved in those organisations are highly qualified and skilled. I do not understand why we need to pay good money for external consultants when we have that level of service and skills in the Department. The issue of where they link up depends on what the trusts and the board do on Transforming Your Care. The involvement of external consultants is a concern.

The Department is bidding for £26 million for elective care to bring down waiting times in a range of specialities, including orthopaedics, general surgery, gynaecology and cardiology. The Committee welcomes that. Every one of us in the Chamber will have dealt with constituents who have been told that they will have to wait months for a first appointment, a follow-up appointment or, indeed, surgery. Any strategy to tackle waiting times has to be welcomed. We want to see the Department getting a handle on this, but we have a genuine concern about using the private sector to tackle the backlog. It might tackle the backlog

in the here and now, but will we be in the same position this time next year? Is using the private sector to tackle the backlog, especially in general surgery, orthopaedics, gynaecology and cardiology, a wise use of public money? The whole issue of waiting lists, and what can be done to better manage them, is a piece of work the Committee has agreed to look at in more detail in the autumn.

The Department also told the Committee that it is bidding for £1.2 million for the costs that will be incurred by the Ambulance Service, the Fire and Rescue Service and some of the health and social care trusts due to the G8 summit. Other Members mentioned that issue earlier. We have queried why all the costs associated with the G8 are not being picked up by the Foreign and Commonwealth Office. As a Committee, we support wholeheartedly the Executive's approach to ensure that any costs incurred by our health and social care budget are paid back. The Health Department has been underfunded for many years, without having to cover the costs of a G8 summit. That is mad, so I support the Minister and his Executive colleagues in trying to get that money back. We are trying to get more detail about what the £1.2 million is for. I mean, £1.2 million for a four-, five- or six-day visit? Flippantly, I asked the other day whether we are going to put up a field hospital in the fields of Fermanagh. That £1.2 million is a lot of money to come from one Department. I am sure that some of the services in the community and voluntary sector would love £1.2 million to deal with issues over a three- or five-year period, never mind £1.2 million for five or six days.

Members will recall the ongoing debate about PEDU when there was an Ulster Unionist Health Minister. The DUP supported PEDU's involvement. As the Minister knows, we have asked the Department for a copy of the 2011 PEDU report so that we can see what recommendations it made for possible savings and efficiencies. Officials have advised us that they require the permission of the First Minister and deputy First Minister to release the report to the Committee. The Committee has agreed to write directly to OFMDFM so that we can get sight of the PEDU report. We feel that access to that report is critical to our understanding of the Department's approach to managing its budget. I hope that the Committee will receive that soon, but I appeal to the Minister on that issue today. The DUP was all over PEDU when Michael McGimpsey was the Minister.

**Mr Deputy Speaker:** The Member's time is up.

**Ms S Ramsey:** Now that there is a DUP Minister, it does not seem that the officials are quite so willing to hand over PEDU reports. We wrote to OFMDFM about that, and I hope we get it soon.

**Mr Kinahan (The Chairperson of the Audit Committee):** This is what you have all been waiting for: a report from the Audit Committee.

On behalf of the Audit Committee, I wish to confirm that the provision for the Northern Ireland Audit Office in the Main Estimates corresponds with the amount agreed by the Audit Committee and laid before the Assembly earlier this year. The current financial climate remains challenging, as the reduction in money available for public expenditure in Northern Ireland continues. The Assembly wants the available public funds to be spent wisely. The Assembly must be able to hold to account the public

bodies that have that task. The work of the Audit Office provides the Assembly with effective and truly independent audit assurance in relation to the use of public funds.

In December 2012, the Audit Committee approved the Audit Office's corporate plan for 2013-14 to 2015-16. The plan sets out how the Audit Office, as the Northern Ireland public sector auditor, will hold public bodies to account for the way they use public money. It shows how the Audit Office will undertake its core activities of financial and value-for-money audit. Each year, the Audit Office will conduct audits of over 200 public sector accounts. It will also undertake 11 value-for-money examinations annually. That work is of crucial importance to the Assembly and, in particular, to the Public Accounts Committee, which works closely with the Audit Office to determine whether public bodies have spent taxpayers' money economically, efficiently and effectively.

Of course, the Audit Office does not just have a role to play in ensuring that other public bodies use public funds appropriately. It has a duty to ensure that it, too, operates in accordance with best practice and provides the public with value for money. The Audit Committee, therefore, welcomes the acknowledgment in the plan that the Audit Office itself must maintain the highest standards of propriety and regularity and promote and secure value for money in its use of public funds, while producing quality, value-adding pieces of work.

The Audit Office has already secured significant efficiencies and cost reductions in recent years. It has done that without compromising either the quality or the scope of its work. Its plan anticipates a further decrease in cash terms in the net resource requirement during each of the first two years of the plan. That is followed by an increase in the third year of the plan. The Committee considered the proposed resource requirement in the draft plan and is satisfied that the reduced net resource requirement of 1% in 2013-14 and a further 0.9% in 2014-15, on top of the other efficiencies already made by the Audit Office since 2011-12, is consistent with the overall direction given by the previous Audit Committee in December 2010. That Committee agreed that it envisaged the Audit Office reducing its requirement by at least 10% in cash terms by 2014-15 from a 2010-11 baseline. In fact, the Audit Office's net resource requirement for 2013-14, as provided for in these Estimates, represents a cash terms reduction of 11.39% from the 2010-11 figure of £9.4 million.

The Committee sought assurance from the Comptroller and Auditor General that the proposed savings represented the maximum reduction that could be made by the Audit Office, while — and this is important — maintaining the quality and breadth of service to the Assembly. Having received that assurance, the Committee agreed the 2013-14 Estimate, which provides for a decrease in the net resource requirement of 1% in cash terms from the Estimate for 2012-13, meaning £8.327 million compared to £8.414 million.

The Audit Committee is committed to ensuring that the Audit Office has the resources necessary to ensure that the Assembly is provided with an effective and truly independent audit assurance in relation to public funds. However, it is also important that that should be done in as efficient a manner as possible. The Audit Committee will continue to consider the Audit Office's resource requirement annually. The Audit Committee endorses the

provision in the Main Estimates for the Audit Office and looks forward to the continuing valuable support that the office provides to the Assembly.

I will now speak as a Member of the House, although my comments will relate very much to the audit role and will touch on efficiency savings. Many have discussed the failure to get clarity or timeliness in reports to various Committees, but I was shocked in the Education Committee when, in the presentation by the Northern Ireland Audit Office, the assistant auditor general said that all Departments do not really understand what efficiency savings are and how to achieve them. That is shocking. By efficiency savings, we mean managing how money is spent to save money and, most importantly, how it is effectively spent to create savings elsewhere.

As part of the Budget process, the Executive agreed that, from 2008 to 2011, Departments should work to deliver efficiency savings of 3% a year. What do we really mean by that? We mean savings that are not achieved by simply cutting funding of priority front line services. We are told that, especially in education, efficiencies that were claimed to be efficiencies were in fact one-off savings and that they may well lead to increases in costs per unit per output. That is extremely worrying. The report states that the present departmental reporting lacks sufficient detail, is not informative and lacks clarity. The Northern Ireland Audit Office argues that efficiencies can only be genuinely claimed when there is no reduction in the volume or quality of service delivery. We were told that, often, no information was provided on volume of outputs or quality of services and, therefore, that no informed interpretation was possible. We are governing Northern Ireland with no proper transparency or understanding of how to do so efficiently. Minister, I hope that you will look at and review what is happening to ensure that all Departments fully understand what is meant by efficiency savings and how to carry them out.

The Northern Ireland Audit Office also observed that there was no centralised challenge function in the context of efficiency delivery plans and the validity of efficiencies. What do we mean by no challenge function? That is all of us on the Committees. Do we all know what we are doing on the Committees to challenge each Department and its spending? I acknowledge that we have the Public Accounts Committee and that a briefing is going on at present on how to question effectively. But is that enough? I ask again: what will the Minister put in place to make sure that all Committees become excellent challenge systems? It is incredibly important, and we should all take on board that we must learn how we all have a role in making this Building work efficiently.

**Mr Allister:** Traditionally, in worthwhile Parliaments and Assemblies, Supply day resolutions tend to be good opportunities for opposition parties to explore and interrogate issues. So, I thought that, with last week's announcement of a new, vibrant opposition party, NI21, there would be nothing for me to do today. To my dismay, I discover that we now have to add the acronym AWOL to NI21, because here is an opportunity to explore, interrogate, challenge, expose and oppose all the things in the Estimates, and suddenly there is a deadly silence from that quarter. It is most disappointing, Mr Deputy Speaker, considering that I thought that I was going to have things much easier in the Assembly now, but there you are.



**4.15 pm**

I will begin by questioning the veracity of this process. We all, very solemnly, come here and have trundled out to us in a resolution very daunting figures of eight and a quarter billion of cash or eight and a half billion of resources or whatever that will be supplied. It is all part of a very focused, orientated and worked-out budgetary process, and we are told that this is how we do it because we know what we are doing and how we are going to spend this money, what it is for, etc. We travel along with that ringing in our ears, and then something such as what happened a couple of weeks ago occurs. We have the First Minister and deputy First Minister — I welcome Mr McCrea to the debate. *[Laughter.]* He is a little underdressed today compared with his previous appearance. We have the First Minister and deputy First Minister suddenly announce all sorts of grandiose schemes that are not in any of these Estimates and are not in any budgetary document and which the House has never approved but which will come to fruition. No one is saying how they will be paid for. You have a bit of financial making on the hoof in a TV studio from a junior Minister who plucks out a figure of £500 million. However, at Question Time today, question 5 to the Department of Finance and Personnel was:

*“ to ask the Minister of Finance and Personnel to detail the financial implications of the Together: Building a United Community strategy”.*

What happened? You did not get an answer, because the question was transferred to OFMDFM. Here we are, debating with all seriousness — or we are expected to — all these issues about how we will find and spend the money, and when a question such as that is asked, it is not for the Minister to answer it but for OFMDFM to answer it. So, where is whatever the figure is coming from? Where is it in these Estimates?

Take DEL, the Department on whose scrutiny Committee I sit. The Minister for Employment and Learning was never consulted about the very significant NEETs dimension of Building Together or whatever the latest fad for calling the project is. It is the Together: Building a United Community strategy, and it is used to be known as shared future. If you want to dust something down and reinvent and re-present it, you always have to change the name, so we had to change the name from shared future to the Together: Building a United Community strategy. Helping the 10,000 young people who, unhappily, are neither in education nor employment is an important part of that strategy, and, yet, the Minister for Employment and Learning, who is charge of that, was never consulted. He came to the Committee and did not know how it will impact on his Department, because he already has a NEETs programme. He did not know how it will be tweaked or changed or whether it is additional or supplementary to his programme or whether it is part of it or is intended to replace the existing NEETs programme. There were no answers to any of that.

**Mr D Bradley:** So what?

**Mr Allister:** “So what?” Indeed. I suppose that that about sums it up. “So what?” One just might expect that the Minister for Employment and Learning would have been consulted and asked about these things, that his view would have been taken and that what was proposed would have been something that would dovetail with and fit into

that which is already on the boards. But, no, that is too much to expect, it seems.

One could go on about other aspects of that programme. Where is all of that in this infrastructure of budgetary process that we go through, including Supply resolutions and in-year monitoring and all of that when, suddenly, things like that can be whipped out of a hat with no funding spelt out whatsoever?

Then, of course, we have in these Estimates figures for, say, Roads Service. The Department for Regional Development is to get so many hundreds of millions of pounds. Then, the A5 programme hits the — falls apart, let us say, and the money is not required. One might have thought that that would be an opportunity to advance roads projects that are needed in other areas, such as the A26, which is one of the most dangerous roads, as is proven, sadly, time and time again, year in and year out. One would have thought that that was a programme that could, therefore, be accelerated and improvements made. However, it may well turn out that all that money will be siphoned off, maybe to pay for Building a United Community. The very day on which the First Minister, belatedly, came to the House to talk about Building a United Community, he dropped a hint that he was looking avariciously at the A5 money. I want to say this: if the House was previously persuaded that that block of money was for roads projects, it should be for roads projects — roads projects that are much-needed, such as the A26. It would be shameful if that money were siphoned off elsewhere, and yet that may well happen. Perhaps the Finance Minister will assure us today that none of that will happen and that other roads projects that are shovel-ready or can be made so will be the beneficiaries of that windfall of funding from the A5. One listens with interest to see if he can give us that assurance.

I will pick up on one or two other points. Huge amounts of money in these Estimates are allocated to the Maze project. Some £7.371 million is allocated to the Maze/Long Kesh Development Corporation, which will foist upon this community the Maze shrine. It is going to build the peace and reconciliation centre cheek by jowl with the hideous, ugly, toxic political building that is the hospital wing and all that goes with it. Not so long ago, when the proposition was that a stadium might be built there — that might seem, to some, a more innocuous proposition than a political peace centre — this Finance Minister, at that time in the House of Commons, had words of rebuke for it. It was, as he put it, the provision of a shrine to hunger strikers at the Maze. He sought assurance from Ministers at Westminster that direct rule decisions taken about that would now be capable of being reversed. Now, of course, what we find happening is that they are capable of reverse, but reversed with a project much less appealing than even a stadium, a peace and reconciliation centre that will be tainted by all of what the Minister previously talked about as existing at the Maze. If we need a peace and reconciliation centre, why put it on the single most toxic, divisive site you could find anywhere in Northern Ireland?

**Mr Deputy Speaker:** The Member will bring his remarks to a close, please.

**Mr Allister:** Why not give it a chance by putting it on a neutral site? Sadly, it is not going there; it is going to the Maze —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Allister:** — because, in this House, what Sinn Féin wants, Sinn Féin gets.

**Mr McNarry:** The Minister will agree with the understatement that money is tight and value for money is the order of the day for all distributors and users of our public purse. I expect him to know, because, as the Finance Minister, he knows all about those matters. He will also know that the Department for Regional Development is giving the Northern Ireland Transport Holding Company a 10-year service agreement contract to provide transport in Northern Ireland. I am sure that he is concerned, as I am, that, despite knowing that, that Department's Minister is going forward today with figures that may not be value for money with that contract and the nebulous situation in which Translink does not have a contract but still avails itself of millions of pounds of public money. Therefore, I am not comfortable with you, Minister continually asking the House, as you have been doing — it is your job, which I respect — for money for regional development to be used further to subsidise the Northern Ireland Transport Holding Company and its trading arm, Translink, particularly in view of the facts. Translink says that it has an £86 million pension scheme deficit liability; that it recently cleared a bank overdraft of £31 million; that it holds £10.5 million in cash and £13.5 million in short-term deposits; and that, on top of that, it has £50 million in other reserves, yet it will carry forward £38 million in trading losses. Minister, are you comfortable with that?

The Minister is the economist. I can read accounts and I can count, but blow me — it blows everybody with whom I sit on the Regional Development Committee — and blow us all if we can understand Translink's management and pursuit of public money when those facts are now in the public domain. I cannot understand how a company can have an overdraft of £31 million when it has £50 million in other reserves of which we know little and £10 million and £13 million in reserve. I ask the Minister whether it is in the public interest and whether he can assure the House that, as Finance Minister, he is content to submit to all requests from that company, as he knows it to be today, for significant and substantial finance, let alone the Assembly, whose duty it will be to decide whether there is a 10-year contract for that or any other company? I ask him on the basis that this is public money for our public service. With the facts that are to hand, I cannot as yet endorse that it is value for money. Can he stand in front of the House today and tell us that, in his opinion, this continuous drip of money for Translink, no matter what it is being used for, is value for money? Can we accept the facts and figures that his Department has obviously sifted through to bring forward any request that future money for Translink should be endorsed by the House?

**Mr B McCrea:** A number of Members have asked what the Estimates mean because they are not particularly transparent. In fact, Mr Allister was rather chiding of the remark about certain people not being here to participate in the debate. I regret that I have not matched the sartorial elegance that he was expecting on this occasion, though I note that he is looking rather dapper. I doubt that I will be able to match his eloquence in putting these things forward, but I will make a number of germane points, because he answered his own question in coming forward on this issue.

This is not a transparent process. Mr Allister started his discussion about the Department for Employment and Learning. For a time, I had the privilege of chairing the Committee, and we went to extensive lengths to understand the budgetary process. Even with all that effort, it was particularly difficult to do so because one had to deal not only with the baseline figures but with the results of in-year monitoring reviews, funds coming from Europe and, occasionally, unhyphenated money coming from Westminster as a part of Westminster projects. Where that money goes to is something of a mystery. In particular, when we were looking to deal with the issue of youth unemployment — the figure is quite significant and, in my opinion, is increasing — we were told that we were spending more per capita on youth unemployment in this region than is spent anywhere else, yet still the figures increase. I am not sure whether the money is being spent wisely. Part of it comes down to it being an issue for the Government to decide, collectively, how they will spend the money, but, looking at the figures in that one particular area, I am at something of a loss to understand whether we are being effective.

#### 4.30 pm

I will mention some other points. At this point, I will say that I do not profess to be an expert on the issue, but I hear anecdotal evidence that waiting lists in our hospitals, particularly in A&E, are growing very substantially. Apparently, demand for the services of our National Health Service is rising at a level of 6%, yet our resources are rising at only 1.5%. That is bound to lead to people being dissatisfied with a significant part of the service that we provide as a Government. So, I would be interested to hear whether the Minister thinks that this is a particularly serious issue. Has he been in negotiations with his colleagues about how they transfer funds from one end to another? What is our corporate plan for dealing with the matter?

I will move on to some other issues that are of particular concern to me. Again, the Minister may have more information on this. I realise that not all of this expenditure will be government expenditure, but the effect is serious and is of a strategic nature, and it is in respect of our energy policy. As I understand it, the issue is that by 2016 the energy supply that we will have will be very close to the maximum requirement to keep the lights on in Northern Ireland. We have to make serious decisions about making expenditure, whether it is on the Moyle interconnector. A sum of £40 million, I believe, has to be spent. The interconnector is, I think, a mutualised business now and is properly the responsibility, I suppose, of the long-term bond holders. This question must be asked: given the seriousness about keeping the electricity flowing in Northern Ireland, will the Government look to put a different form of management into that company? Will there be some issue that we might give money to bring the interconnector on line, given the seriousness of the threat to supply? Will the Minister consider giving money towards Ballylumford? As Members know, as things stand at the moment, Ballylumford will close down because it cannot meet the emissions standards required by the EU. It would take £30 million to £40 million to make it acceptable. Perhaps in the interests of the strategic need for electricity in Northern Ireland, the Minister will consider whether we should give money in that direction.

The final point on the electricity side of things is that the Government here have a commitment to produce 40% of the electricity generated by 2020 —

**Mr Hamilton:** Two thousand and sixteen.

**Mr B McCrea:** Thank you very much. They have a commitment to supply 40% of it from renewable resources. That will require significant resources to be spent on infrastructure. The regulator estimates that to be some £900 million, which is very sizeable. That may come from the electricity user or government subvention if the Executive feel that that is appropriate. Either way, it is a really significant intervention. We still have no clarity about the interconnector from Cavan to Northern Ireland. We have to do something about that if we are serious about keeping the lights on for our industry and domestic users. Perhaps the Minister will address the question of whether government expenditure will be used to alleviate the problem.

My final point is on the provision of broadband to rural areas. As I understand it, a significant sum was set aside for that in line with the UK broadband initiative. Other areas of the United Kingdom have progressed beyond consultation, and their process has been approved. Scotland, certainly the Highlands, is in the procurement phase. That will see significant spending on rural broadband infrastructure. Yet, I understand that the Department of Enterprise, Trade and Investment is not able to make progress because there was a flaw with its consultation process and it will have to be done again. Given that this issue is particularly important in many areas of Northern Ireland, what will the Minister do with the money that has not been spent to date, given that there is now a delay? Will that money be reallocated, or will we put in additional sums to make sure that we do not fall behind on a project that many in Northern Ireland are waiting for?

On the issue of how we go about our business — I have heard the Minister speak about this — if we are to have meaningful contributions and debate, we need to understand the figures. We need clarity in the information that is put forward. It takes significant resources to prepare those figures and make them available. It also takes significant work by Members to get to the bottom of the argument. It is incumbent on the Government to come forward collectively and say with one voice, “This is what we intend to do. This is where we will allocate the resources”. On that basis, where there is clarity of vision on the way forward, we will provide the necessary oversight and clarity of interrogation. Until then, I can only wait to hear what the Minister has to say.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Mr McCrea never fails to astound me. As he rose to his feet, he was tweeting a picture of himself engaging with students at a school in Antrim. Fair play to him for that.

**Mr Deputy Speaker:** Order. We are debating the Budget.

**Mr Flanagan:** Somewhere in there, Mr Deputy Speaker, is a tenuous link to MLAs’ expenses and mobile phones.

I thank the Minister for tabling the motion. The crux of it, for anybody who is interested in this process — that may be very few, even if you include MLAs — is that people will be asking what those of us elected to this place are doing to respond to the growing and continuing need. What are we doing to deal with the growing and continuing economic

crisis here, and what are the responses to that crisis? It is useful at a time like this for Ministers to spell out clearly what has been done. However, it is also useful to listen to Back-Bench MLAs and to consider alternative ways to deal with problems in whatever Department Members wish to raise queries about.

It is also important for us to reflect that, two years into the mandate and this Programme for Government, the number one priority of the Executive, which is rebalancing the economy, has yet to be achieved and is still a work in progress. It is still the number one priority for the Executive and MLAs, but it remains to be achieved. When you look at where we are now compared with two years ago, there has been considerable improvement, but, despite all the efforts made and good work done, the crisis continues. Many communities still face high levels of unemployment and emigration, particularly among young skilled people, which the Executive collectively and we as an Assembly need to continue to attempt to address.

It would be useful if the Minister could detail progress on tackling the number one priority of the mandate, which is growing the economy. We will hear talk about rebalancing the economy, and that will immediately turn to talk about devolving corporation tax powers, but so much more needs to be done to reduce overheads for businesses. I know that the Minister is doing a lot of good work there, particularly on rates, but one of the big costs for businesses, through energy, is actually taxation. That is not within his or the Enterprise Minister’s control, but it needs to be addressed.

There is an awful lot of frustration about further threatened cuts to welfare, government expenditure and investment in infrastructure. The Executive need to outline clearly what they are doing to tackle those three issues. It is good to hear that the First Minister and deputy First Minister continue to put pressure on Downing Street on all those issues.

It would also be useful if the Minister could provide the House with an update on the work of the Budget review group, which was mandated to identify £1.6 billion of new revenue streams. Can he outline the progress that has been made on that to date?

Sinn Féin wants to see a progressive and effective response to this crisis. It has to be both progressive and effective. Once again, it needs to be stated that our number one priority is to grow and rebalance the economy, and there needs to be a specific emphasis on job creation in there. On the fiscal powers and levers that the Assembly has, the Minister is, as we all know because he has stated it on many occasions, reluctant to pursue further fiscal devolution. So he deserves credit, even with that sentiment clearly expressed by him that he has done it where it is the will of the Executive, and with considerable success. The Minister needs to move beyond his point of opposition as a unionist and do what is best for the economy. Simply throwing out figures that this is how much this deficit is, without an actual figure, will not wash with people. He has a position of opposition just because he is a unionist Minister rather than wearing the other hat that he claims to wear as an economist. That hat seems to be set aside most of the time.

Our lack of fiscal powers here means that all we are talking about is moving money around at the discretion of the British Treasury and how much it, without any input

from us, decides to give us. Primarily for that reason, many outside the House find the budgetary process very technical, very boring and very detached from their everyday life, whereas, if you look at Parliaments in other jurisdictions, you see that the process has a much bigger impact on citizens' daily lives, and they have a much bigger input into the way the Budget is carried out.

I look forward to the debate continuing tomorrow. I genuinely do not know what points Mr McCrea will have left to cover, but I am sure that he will get something in.

#### 4.45 pm

**Mr Wilson:** I thank all the Members who attended and took part in the debate. Some obviously gave it their full attention, some gave it partial attention and some gave it no attention. Mr Flanagan seems to have spent some of his time listening to or looking at — whatever it is that you do — Mr McCrea's tweets on the Twitter machine. *[Laughter.]* It is nice to see that the new party for Northern Ireland is on a lead, and that at the end of that lead is Jim Allister, who upbraided him and, all of a sudden, Mr McCrea appears in the Chamber. I thought it was NI21 last Thursday, P45 on Monday, but it appears that he was dragged, screaming, into the Chamber anyway. I am not going to pay too much attention to what he said during his contribution, although I notice that, despite the fact that he was outside twitting, getting photographs taken and everything else, he was able to tell the Assembly what a number of Members had asked. I do not know how he finds that out or whether he has some kind of crystal ball, but he certainly did not find it sitting here doing his job as the opposition — the new, qualified opposition for Northern Ireland. Anyway, leave that aside —

**Mr B McCrea:** On a point of order, Mr Deputy Speaker.

**Mr Wilson:** I knew that would provoke him, Mr Deputy Speaker. *[Laughter.]*

**Mr B McCrea:** The Member must check, Mr Deputy Speaker, that the television system that goes through this Building, conveying all the debates, is still working, because Mr Wilson seems to be unaware of it.

**Mr Deputy Speaker:** I remind the leader of the new party that that is not a point of order. I also encourage the Minister to, perhaps, stick to the debate.

**Mr Wilson:** It is not much of a recommendation, mind you. He spends all day twitting and watching the TV. *[Laughter.]* I do not know, but it is not the image that I would like to have, anyway.

Let me turn to the points that various Members have made. First, I will turn to the Chairman of the Committee for Finance and Personnel. What he pointed out actually fits in with some of the other issues that Members have raised throughout the debate as to where the money is coming from for this or that issue, and, of course, the united community initiative that the First Minister and deputy First Minister announced was one of the main targets for that kind of question. At the start of the Budget process, over two years ago, I said that although we were establishing a four-year Budget, as circumstances changed, as additional resources became available, or if we found that certain things that we planned to do could not be done, the shape of the Budget would, of course, change. That is the correct approach to have, because, of course, new challenges

will arise, and we have to find ways of resourcing those new challenges and, perhaps, providing for additional priorities. The Chairman of the Committee very helpfully pointed out that, as a result of some of the changes in the review of the allocations that were made and the fact that some Departments were continually making returns in the monitoring rounds, we changed some emphasis towards DEL to deal with youth unemployment and the challenges that were arising as a result of the recession. Additional money was also made available to the Department of Education. This year, £15 million will go directly to schools' budgets, because schools were finding themselves under pressure and looking at how they were going to provide for the services in the classroom, etc.

The Chairman of the Committee for Finance and Personnel also welcomed the memorandum of association on the Budget process between the Assembly and the Executive. I agree that it is important to set out the respective roles and responsibilities of Departments and Committees. Indeed, a number of other Members raised that issue: how do we get better scrutiny? I think Mr Nesbitt raised the same issue, as did Mr Allister and a number of other Members. I have to say that I think legitimate complaints have been made. In the past, I have criticised Ministers and Departments for not doing this, but there are legitimate complaints. If we are to carry out our scrutiny role and Committees are to carry out their scrutiny role, information, of course, has to be made available to Committees to allow them to do that. As Sue Ramsey said, it does not always have to be seen as confrontational. It is not that you withhold information so that the Committee cannot have a row with you. Eventually, the information will be there, anyway. If it comes late, the Committee can always have another go at it at some other time, and sometimes it only causes aggravation. I have no difficulty with proper scrutiny of budgets. That is what my Department does. That is what Committees ought to be doing. In that way, how public money is being spent should be, and could be, properly scrutinised. It is an important role that we need to carry out and for which we need to facilitate Members.

Mr McKay also raised the review of financial processes, as did a number of other Members, including Paul Girvan and Mr Cree. I have made it clear that I have no difficulty with what the Committee asked for on that. In fact, it is my Department's view that we want to have a more transparent and streamlined means of presenting Budget statements and information to allow for greater scrutiny. I hope that the Chairman of the Committee will try to persuade his party colleague, with whom I have spent hours trying to sort that out. One problem is that we do not want to have so many budget lines, so you concede on that. Then, we do not want to have scrutiny of whether something is a reduced requirement. If a Department bids for money, and does not spend that money, which was voted to it, I would think that the whole Assembly would want to ensure that it was returned so that consideration could be given to how it should be spent. Otherwise, Ministers could get into the position where they simply put in bids for things that are dead popular and, afterwards, spend the money on things that are unpopular. That is no way to allocate budgets. That is the crunch point with the Minister of Education at present. I welcome any help that can be given in dealing with it.

**Mr McCarthy:** I am grateful to the Minister for giving way. He will be aware that, this afternoon, we had a statement from his colleague the Minister for Social Development. It contained the horrendous fact that £18 million had been wasted, squandered — call it what you will. He is talking about scrutiny. Where was the scrutiny when that £18 million of public money was blown? Can the Minister explain where he stands and how he sees that horrendous state of affairs?

**Mr Wilson:** We have got to ensure that that scrutiny also extends to arm's-length bodies such as the Northern Ireland Housing Executive. Sometimes, the worst practices occur in arm's-length bodies. Some of the worst scandals have, of course, arisen in such bodies. So, it is important that that scrutiny should extend to them. Of course, where there have been issues, they should be addressed quickly.

Mr Girvan raised the issue of corporation tax. As I have made clear time and time again, we are continuing to pursue that with the Government at Westminster. In the meantime, through the economic pact, we are looking at proposals that may help the economy in the interim until a final decision on that is made, but work is ongoing. He also raised the issue of savings delivery plans. Again, I agree with him and the Chairman of the Committee. I think that Mr Cree also raised the issue. Those savings delivery plans should be presented to Committees and be open to scrutiny.

Mr Bradley raised a number of issues. First was the A5. Indeed, Mr Allister raised the issue of the A5 money as well. That money was allocated by the Executive; it was a priority. Now, it cannot be spent as a result of insufficient information being supplied with the planning application and the judgement of the court that the whole project had to be stopped. When the Executive have looked at all the bids for that money, we will decide how it will be spent. Mr Allister put forward an attractive but, I must say, fairly superficial argument on that particular issue, and I remind Members that that £113 million has to be spent this year. We do not have the ability to carry it forward, and that does limit the number of projects that can qualify for that money. My understanding is that the A26 is not at the advanced stage where the money, or part of it, could be spent in this particular year. Then, of course, there is the money for next year as well. So, projects will be judged against the priorities and how quickly the money can be spent to avoid any underspend, which, of course, would be lost to the Northern Ireland economy.

Mr Bradley also raised, as he always does, this next issue. Despite the fact that I always give him a good answer, he never believes me; he really does doubt my responses. The position on capital receipts is good news for the Executive. In the Budget for 2011-12, we set out to raise £141.9 million, and we exceeded that target by £30 million. For 2012-13, we set a target of £127.3 million, and it looks like we will exceed that target by £40 million. When it comes to revenue raising, we anticipated that we would raise £372 million in additional revenue over the first two years of the Budget, and we have exceeded that target by £50 million. So, I hope that Mr Bradley is comforted by the fact that we have —

**Mr D Bradley:** Will the Minister give way?

**Mr Wilson:** I will. Again, I suspect that he will cast doubt on the figures that I have given, which, of course, are there for scrutiny.

**Mr D Bradley:** I thank the Minister for giving way. My mind goes back to the draft Budget announcement in, I think, December 2010. At that stage, a figure of £1.6 billion in revenue-raising measures was talked about. In fact, I am surprised that Mr Flanagan asked you a question about that, because Caitríona Ruane claimed that Sinn Féin had raised that £1.6 billion. Anyway, that was reduced to £826 million, so maybe the Minister can tell us what remains of the £826 million in revenue-raising measures still to be acquired.

**Mr Wilson:** I cannot answer for Caitríona Ruane. I can be trusted, and I will leave Members of the Assembly to draw their own conclusions about some of the promises made by other Members in the House. I have given the House the figures for what we intended to raise over the past two years and the figures for what we actually raised. I am happy that we exceeded the targets and that we will continue to do so.

Mr Bradley also raised the issue of the £18 million that DETI spent on the Titanic signature project. That project came in on time and on budget, and it has been a massive boost for the tourist industry in Northern Ireland, despite the predictions of the Audit Office — Mr Kinahan places a great deal of support in it and is very confident about its predictions — that we would not even meet the target of a quarter of a million visitors; there have been 890,000 visitors through the Titanic signature project. So, the building was good value for money, and the project was good value for the economy and the tourist industry in Northern Ireland. We are still looking for projects that could absorb that £18 million so that we can switch our own capital spend to that part of the budget for DETI and use EU money for other projects. I hope that we will be able to report to the Assembly on that fairly soon.

**Mr D Bradley:** Will the Minister give way?

**Mr Wilson:** I want to try to get through a number of points; I have answered that question time and time again anyway.

A number of Members raised the issue of building a united community, the responsibility for which, of course, rests with OFMDFM. All that I will say is that the First Minister and deputy First Minister have made a high-level decision on that and have reported to the Executive. The detailed work has still to be done, and the exact figures for what can be spent this year and in subsequent years have not yet been provided.

That is not unusual with any policy. I continually hear it at Westminster. When a Minister announces a policy, the question is "How much will it cost?". The answer is always "We are working through the detail of the issue". I do not think that anybody can say anything about the objectives, which are to promote shared education and to deal with that hard core of youth unemployment. Even during the boom times, we were not able to get those people into employment, which contributed greatly to the high levels of economic inactivity in Northern Ireland.

**5.00 pm**

Mr Bradley referred to the regional soccer stadium. I cannot comment on the detail of that because I do not

know how long the judicial review will take or what its outcome will be, but DCAL will robustly challenge the case that has been put forward by Crusaders and is working to ensure that the money is spent on time.

Mr Bradley also mentioned the social investment fund and asked why it was taking so long to spend the money. A number of Members raised that issue. When the fund was introduced, we were told that the money would be thrown out the door to paramilitaries. It has taken a long time to put in place the nine regional groups to decide on local projects, to have that returned and for the final sift to be done. I know that from my own area, where projects are dealing with people who have learning difficulties, tourist-type facilities, home insulation and fuel poverty. These are all good projects, and it has been worth the wait to put in place proper scrutiny and proper sifting procedures so that the money is well spent and benefits communities. We should welcome the fact that we have gone through that process.

Mr Cree spoke about additional capital from Her Majesty's Treasury. I got the impression that he thought that I was hiding this money somewhere in my back pocket or in a hole in the ground and would produce it at a later stage. I have been quite clear and have given the figures to the Assembly on occasions on our additional capital for this year and our additional capital for next year. Some of it cannot be spent directly by Departments; it has to be given in the form of third-party loans. It is called "financial transactions money", and we have to work our way through that to find projects, one of which I will mention in a moment or two that, I think, will benefit the Northern Ireland economy.

Mr Givan referred to the voluntary retirement scheme for the Northern Ireland Prison Service. We have given additional resources to it in the February monitoring round, and, where a case can be made by the Justice Minister, we will look at it because it is an invest-to-save initiative. He also spoke about legal aid pressures. I could not agree more, although I noticed that the lawyers in the Chamber got rather uncomfortable when he raised the issue. Additional money had to be given in the February monitoring round — I think that it was £16 million — to help with the legal aid pressures that had been generated. We do not want that to continue.

There has been some slippage with the Desertcreat project. I had a meeting last week with Danny Alexander, the Chief Secretary to the Treasury, and I raised the issue with him, as I thought that it was best to do so at an early stage. I said that we might have some slippage with the Desertcreat project and sought early permission from the Treasury to carry money forward. The big danger with any slippage on the Desertcreat project is that, if we do not spend the money, we will lose it totally. Mr Maginness and Mr Givan raised that issue, and I trust that we will get a positive response from the Treasury. However, it looks as though we will not spend the money in the period that we had anticipated because of the delays in re-examining the budget for the college.

Mr McQuillan raised the issue of local government reform funding. In February, the Executive agreed a package of £47.8 million for local government reform. Of that, £13.8 million is for the transition elements such as the shadow councils, capacity building and so on; £4 million is to help with the capital costs of the ICT that has to be purchased

so that the new councils can work together; and £30 million is for the convergence costs where there are big differences in rates. A number of other Members raised that issue as well.

Mr McQuillan also raised the issue of the level of rates here in Northern Ireland. I am proud of the record that my party has on rates in Northern Ireland. In the first Assembly, when the SDLP was in charge of the portfolio that I hold, rates went up by 10% in one year. In the last year of direct rule, they went up by 18%. Under the DUP, which, of course, is the ratepayer's friend, they have gone up by 0% in real terms. As a result, people in Northern Ireland pay considerably less for their rates.

The average domestic rate in Northern Ireland is £816. The next closest to that is Scotland, with £985, followed by Wales, with £1,036, and England, with £1,201. Of course, on top of that, people in other parts of the United Kingdom face water charges, which people here do not have. Sometimes, I hear people complain and ask, "What do you lot up there do? Do you not realise the kind of pressures we are under in everyday life?". The Assembly and Executive have responded to the kinds of pressures that people face. That is even in times of economic stringency. Do not forget that, when the SDLP was in charge and put up rates by 10%, the Government in Westminster gave, on average, 6% to 8% additional money to Northern Ireland. We have done that against a background of a 6.8% real reduction in the Budget. We have to bear that in mind.

Mr Maginness raised a number of issues, one of which was welfare reform. He talked about a local imaginative settlement. I am not quite sure what he meant by that, and I do not know whether he was either, to be quite truthful. The truth of the matter is that I do not care how imaginative it is: there will still be a cost to the resource budget of the Executive. The kind of changes that Minister McCausland intends to make are well known in the Assembly. All of them will represent costs to the Executive. For example, for the next two years, we will continue the current level of rates support. That cost the Executive £13 million this year. Next year, I think — do not hold me to this — it goes up to nearly £30 million. One very sensible suggested change to the Welfare Reform Bill is the additional charge for people who underoccupy houses. That is a bad policy that is likely to cost the Executive money in capital build and cause a lot of disruption to people's lives. If we decide not to go down that route, there will be quite a substantial cost to the Budget. There is no imaginative solution that magically reduces the impact of welfare reform without a cost to our Budget.

Mr Maginness also raised the PSNI equal pay issue. He seemed to indicate that it was a problem of resource. It was never a problem of resource. When we negotiated the settlement for the devolution of policing, there was a figure built into that for any equal pay claim that would have arisen as a result of the AAs and AOs who worked for the Police Service getting an equal pay settlement. It has become a question of whether there is a legal case for an equal pay settlement. When we negotiated the Civil Service agreement, the trade unions negotiated purely for members of the Northern Ireland Civil Service. Their tribunal case included only members of the Northern Ireland Civil Service; it did not include PSNI staff. The PSNI has not come up with a business case for an equal pay claim. Had it done that, the money was there in the

Treasury for that payment. We now have a court ruling that there was no equal pay case that could be latched onto the Northern Ireland Civil Service case. Although the money is being held in reserve by Treasury, it is not going to pay out for a settlement that a court has ruled there is no case for, for staff that the trade unions did not take a tribunal case for and when the trade unions did not include those staff in their original settlement for the Northern Ireland Civil Service.

**Mr A Maginness:** Will the Minister give way?

**Mr Wilson:** I will give way, because I know that it is an important issue for many Members. The answer to the Member's question is that, until the police and the Department of Justice determine that there is an equal pay issue and present a business case, there can be no payment. I am sure that he appreciates that.

**Mr A Maginness:** I am grateful to the Minister for giving way. I do not think that the Minister was at the debate last week, but I am sure that he is aware of the issues that were raised. Is the Minister saying that the decision by Judge Babington is a bar to a settlement for those outstanding equal pay claims or that the failure on the part of the PSNI to put forward a business case is the real obstacle?

**Mr Wilson:** First, the legal decision was on whether the PSNI staff could latch onto the Northern Ireland Civil Service equal pay claim, and it is clear that the decision was "No, they could not". If a separate equal pay case is made by the PSNI or the Department of Justice, there would be nothing to stop that. That is a perfectly legal claim, and, whether or not we have the resources for it, we would have to pay out. Do not forget that we did not have the resources for the Civil Service claim and had to dip into budgets for the £114 million or whatever it was that it cost us. If a legal case can be established, the earlier judgement does not rule out a separate case being made by the police. It does rule out attaching any equal pay claim to the Northern Ireland Civil Service claim. That is the issue.

Mr Maginness also asked me for some positive news about the economy. I am always happy to give positive news about the economy, and I always seek to be honest about it. Even some of the economists from the banks — I am not going to name them; we all know the merchants of gloom who regularly write in the columns of our newspapers — were on the front page of one of the papers today saying that they detect an upturn, the services sector has shown growth for the first time and the construction sector is showing greater stability and is not shedding labour for the first time.

Our own evaluation of the output of the economy, the Northern Ireland economic index — there should be a "c" in there somewhere, but I cannot remember what it is — has shown that we had 0.4% growth over the past year. That is not quite the same as GDP figures, but it is very close to it. We have also had the job announcements that Arlene Foster has made. Exports are up by 12%, and we are exporting to areas where there is growth: Brazil, India and places like that. There are signs of growth. However, let us be realistic about it: there are still big challenges for us. We plunged to the very depths of recession, and it will take a long time to recover. When it comes, growth will be slow. Even the UK economy is predicted to grow by only

around 1% or 1.5%. Clawing back to the heights where we were before will take considerable time. Nevertheless, we see changes on the horizon.

#### 5.15 pm

Mr Swann raised issues about the Open University for Northern Ireland and Stranmillis College that really have to be dealt with by the Employment and Learning Minister. I am sure that he will keep pressing the Minister on those issues.

Mr Frew raised the issue of hardship for farmers and the potential in the agrifood industry, and he is quite right. Along with the Enterprise, Trade and Investment Minister, I have had meetings with the agrifood industry. There is huge potential for Northern Ireland because of the horse meat scare and the fact that many of the supermarkets are saying that they want to source their meat and poultry from within the United Kingdom. That probably gives our suppliers the opportunity to increase their sales quite dramatically. On the basis of figures that I have been given, investment has the potential — it really is a small window of opportunity, because, of course, once suppliers have been established the opportunity has gone — to create about 2,500 jobs over the next two years. Arlene Foster and I have met the agrifood industry. We have also had meetings with the banks about this specific issue, and I must say that the banks responded with what the Executive can do to take some of the risk out of the lending that banks make to farmers. I am hopeful that, within weeks, we will be able to put together a scheme using some of the financial transactions money that is available to the Executive and the agreements that the participating banks will come to to ensure that capital is available to, for example, build chicken houses and pig houses, which are part of the essential supply chain for the agrifood firms that will then, hopefully, be able to take up opportunities with the big supermarkets. The one thing that they have said to me is "Look, this is a fantastic opportunity. For the first time, we can actually pick our customers, such is the demand. But we have got to capitalise on that". So, we will continue to deal with that.

Mr Frew also raised the issue of capital spend. As a result, first, of the additional money that we have raised — Mr Bradley referred to capital receipts — and the additional capital money from Westminster, our capital spend is up 27%. This is a significant figure: 55% of activity in the construction industry is now generated by funding made available by the Executive. The support being given to the construction industry is not always appreciated. I know that it is in very poor shape, but it would be in far worse shape had it not been for decisions made by the Assembly and the Executive.

Mr Wells raised the issue of health funding. Of course, the health budget was protected in the 2011 Budget, since when additional money has been made available in monitoring rounds. The health service must help itself by looking at ways in which it can deliver on savings, because there are different ways of doing things. I know that Members and, sometimes, the public will resist that kind of change, but, if we are to meet rising demand, we cannot keep on doing things as we have in the past.

Anna Lo raised the issue of the water framework directive. It is for the Environment Minister to decide what his Department's priorities will be. He is free to bid for

additional money for the water framework directive through in-year monitoring, and the Executive will consider any of those bids. She also raised the issue of the carrier bag levy and the fact that some of the environmental projects that it was to have been spent on could not be carried out this year because it had not raised as much money as anticipated. Again, it is up to the Environment Minister to decide whether he wants to finance those projects. If he does, it will come from another budget; if not, he waits until the revenue comes through. The one good thing is that we have succeeded in ensuring that the money collected is returned to the Northern Ireland economy, for which I must again pay tribute to the Chief Secretary to the Treasury. So, although it goes to the UK Consolidated Fund, it comes back to us, which is important.

Mr McGlone raised the issues of DETI June monitoring bids and Invest NI EYF. I really cannot comment on June monitoring bids. There will be a statement to the House on June monitoring at the end of June. Bids are coming in at present, and we are sifting through them. We will make decisions about them, and they will be announced to the Assembly using the proper procedure. I do not think that Members would wish me to anticipate what decisions might be made or, indeed, how much money we are likely to have for that.

On the issue of end-year flexibility for Invest NI, most Members now know how end-year flexibility works. We cannot carry over money or say that individual sections of Departments can carry over money if they do not spend it. It is all added together. The Treasury allows us to carry some money over. We negotiated the Budget exchange mechanism with the Chief Secretary to the Treasury when there was no carry-over facility, but I have never known an occasion when Invest NI, when it urgently needed money for projects, has been refused. Indeed, I can think of one occasion when money was required for the now very successful carbon fibre technology at Bombardier. Departments were top-sliced to make sure that we could meet our commitment on that because the job potential was so great.

The Member also raised the issue of a green investment bank. We are working closely with SIB to bring forward proposals that will utilise some of the financial transactions capital funding for that. We will consider the business case for any issues that come forward.

Mr Nesbitt raised a number of OFMDFM issues. Really, as Chair of the Committee, he should raise those issues in detail with the First and deputy First Ministers.

**Mr Nesbitt:** Will the Minister give way?

**Mr Wilson:** I will give way. The one point I will agree with him on — he will not be surprised at this — is that the large increase in the budget for the Attorney General is a cause for concern. I hope that the Committee will encourage OFMDFM to look at that again.

**Mr Nesbitt:** I thank the Minister for giving way. My point is that I agree with him: they are issues for OFMDFM, but, when information is supplied to the Committee Clerk only 20 minutes before Committee, you cannot rigorously make those points.

**Mr Wilson:** I accept what the Member is saying. That has happened to me on a number of occasions as well. Supplying the information shortly before the Committee

starts is a practice which, I am sure, most Ministers would not actively promote, but sometimes there are good reasons why information cannot be supplied in a timely way. Ideally, I suppose, members should have the papers days before the Committee meets, so that they can read the stuff and then ask intelligent questions. However, a Committee can easily get around that. If the information arrives late, members can simply wait until the next time the officials are before the Committee and ask the questions when they have had proper time to consider it. However, ideally it should be done up front.

Sue Ramsey raised the issue of the PEDU report. I did not quite understand the point she was making that somehow or other we are waiting for OFMDFM to release it.

Although those reports are done by PEDU, which is part of my Department, PEDU has to be invited by the Minister to come into a Department. Once a report is made, it goes to the Minister, and the Minister then decides what he will do with the report, what recommendations he will accept or reject and who he or she shares it with. I understand that a number of the issues in the PEDU report actually informed the Transforming Your Care proposal.

Mr Kinahan raised the issue that I expected him to. He always raises it. He always invites me to bash the Audit Office. I think that he is some kind of masochist on this one. I will make the same point to him as I have made before. He talks about the budget for the Audit Office, and of course the Audit Office carries out an important function.

No one is going to deny that, but, like any other part of the structure that uses public funds, it must use those funds effectively. The organisation failed to spend over 6% of its 2012-13 opening budget and, in the past five years, has failed to spend, on average, 10% of its budget. It is very hard to make a case to argue that a body is under-resourced or needs more resources when, on average, it spends less than it has as an opening budget. Therefore, I do not think that the work of the Audit Office has been impaired in any way.

Mr McNarry raised the issue of the 10-year contract for Translink. He is quite right: we should not enter into a 10-year contract with what is, in effect, a monopoly, without proper assurances. Before the 10-year contract is signed, comfort has to be given to PEDU that there are proper procedures in place so that there is validation of the financial practices and control within the organisation. That will provide the information for the validation of the licence, which is required by the EU anyway, to be carried out. So, before any final agreement is reached, that work has to be done.

I have dealt with some of the issues that Mr Allister raised. He also raised the issue of the Maze, and it has been a popular issue for him, but the emphasis on the peace and reconciliation centre, as if that was the only thing that was going to happen at the Maze, really does not do him credit. He is more knowledgeable about those issues than he chooses to reveal. He knows full well that the Maze site, which is one of the biggest development sites — bigger than the Titanic Quarter — is a massive opportunity for the Northern Ireland economy. Indeed, the tens of thousands of people who visited the Maze site for the agricultural show saw the vast potential that there is for that site when it is fully developed. There is a lot of emphasis on the agriculture industry, research, marketing and all the other proposals for the site, as well as the other manufacturing



and development proposals. At the end of the day, there are nearly 2,000 jobs to be created on that site. That is what we ought to be emphasising. There is a structure in place.

Mr Allister raised the issue of my view of the site under direct rule, which I am quite happy to address. Given the record of Northern Ireland Office Ministers, I was concerned that they would cave in to the kind of demands that there were at that stage that could have made the site into a shrine. We now have governmental arrangements in place that can ensure that that cannot happen.

**Mr Allister:** Will the Minister give way?

**Mr Wilson:** I will give way in a moment or two.

When we are looking at the Maze site and the vast potential in it, we should be seeking ways of ensuring that its potential is maximised. This is a good news story for Northern Ireland because of the potential that there is for creating jobs at that location. Although, unfortunately, it does not stop the kind of stories that we have at the moment, I know that, in 10 years' time, people are going to look back and ask what all the fuss was about. I can remember the same fuss about the devolution of policing and justice powers. That was going to be a disaster for policing. We were going to have terrorists in charge of policing. Looking back now, people ask what the fuss was about. We discuss policing in the Assembly, the structures around policing are still accountable and we do not have terrorists dictating what the police do. Operational independence is still there. I guarantee that, in the future, we will look back at this and see the exact same. I will give way.

### 5.30 pm

**Mr Allister:** The Minister will not find any comment by me that is critical of the overall development of the Maze. He will find comments criticising the tarnishing of the overall potential by insisting on putting on the site the one thing that will undermine the overall development, namely, the peace and reconciliation centre because of its affiliation with the hideous IRA citadel buildings, which are the H-blocks.

I ask the question again; why tarnish the site by putting the reconciliation centre on the most divisive site that there is in Northern Ireland? If we need it, why not put it on a neutral site and save the wider good aspects of the Maze project from being tarnished and undermined? Why is it not going on a neutral site if we need it?

If he read today's 'News Letter', he would know that it is not just me who has concerns. The RUC George Cross association and many others are concerned, like he once was and like his deputy leader once was when he said that no matter how you dress it up and spin it, it will be a shrine if you put it there.

**Mr Wilson:** I listened to the Member talking about whether the Maze is a neutral site. I went to the Balmoral show and met people from all arts and parts and of all religions and backgrounds. They recognised me and came up to me to talk about the site, and no one seemed to be in any way curtailed in attending the Balmoral show because they thought that the site was not neutral. In fact, they enjoyed the day there and felt that there was great benefit in it. Indeed, as we are talking about neutrality, I would remind the Member that there is an RAF and Second World War

museum there, and those could be regarded as military issues. We have to get away from the kind of language that the Member is using.

I see that my time is up, Mr Deputy Speaker, and that you are going to ask me to draw my remarks to a close. I thank all the Members who participated in the debate —

**Mr D Bradley:** Will the Minister give way?

**Mr Wilson:** I will probably not get an intervention in. I thank all the Members who participated in the debate. I am sure that we will get a re-run tomorrow, so if there is anything that I have not covered, Members can raise those issues with me during the Budget debate.

**Mr Deputy Speaker:** Order. Before we proceed to the Question, I remind Members that the vote on this motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That this Assembly approves that a sum not exceeding £8,271,268,000 be granted out of the Consolidated Fund for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 and that resources not exceeding £8,558,118,000 be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 as summarised for each Department or other public body in columns 3(b) and 3(a) of table 1.3 in the volume of the Northern Ireland Estimates 2013-14 that was laid before the Assembly on 29 May 2013.*

**Mr Deputy Speaker:** As there are Ayes from all sides of the House, I am satisfied that cross-community support has been demonstrated.

## Budget (No. 2) Bill: First Stage

### Mr Wilson (The Minister of Finance and Personnel):

I beg to introduce the Budget (No. 2) Bill, which is a Bill to authorise the issue out of the Consolidated Fund of certain sums for the service of the year ending 31 March 2014; to appropriate those sums for specified purposes; to authorise the Department of Finance and Personnel to borrow on the credit of the appropriated sums; to authorise the use for the public service of certain resources, including accruing resources, for the year ending 31 March 2014; and to repeal certain spent provisions.

*Bill passed First Stage and ordered to be printed.*

**Mr Deputy Speaker:** I can inform Members that confirmation has been received from the Committee for Finance and Personnel, in accordance with Standing Order 42(2), that the Committee is satisfied that there has been appropriate consultation with it on the public expenditure proposals contained in the Bill, and that the Bill can therefore proceed under the accelerated passage procedure. The Second Stage of the Bill will be brought before the House tomorrow.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

## Private Members' Business

### Single Farm Payments: Farm Inspections

**Mr Deputy Speaker:** The Business Committee has agreed to allow one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. I remind Members that junior Minister McCann will respond to the motion on behalf of the Minister of Agriculture and Rural Development.

**Mr Frew:** I beg to move

*That this Assembly recognises the concerns within the farming community regarding the issuing of inaccurate land parcel identification system maps; notes that many were still awaiting their altered maps days before the deadline of 15 May 2013 for their single farm payment application; understands the difficulties and pressures that this will cause to the applicants and calls on the Minister of Agriculture and Rural Development to outline how her Department will support farmers and speed up the overall farm inspection process in order that more applicants receive their 2013 single farm payment in good time.*

The motion is of the utmost importance to the DUP and to the farming and agrifood industries in our Province. A few months ago, the Minister warned everyone that the onus was very much on farmers to check their maps and make sure that they were correct. She said:

*"Accurate information is essential to speed up the payment process."*

On 18 December 2012, the Minister also stated:

*"We have been working very hard to update the maps on the basis of the latest available aerial photography, but only farmers themselves are fully up-to-date with the conditions on the ground. It is vital that you provide us with any corrections which may need to be made as this will help to prevent delays with the processing of your 2013 Single Farm Payment applications."*

It was remiss of me not to mention the fact that the Minister is not available today as she is unwell. I wish her a speedy recovery. It is regrettable that she cannot make the debate.

When the Committee for Agriculture and Rural Development discussed the issue on 14 January, we were concerned about the process that the Department of Agriculture and Rural Development (DARD) had put in place to satisfy the needs of Europe to get the money drawn down for the single farm payment (SAF). At that time, we did not want to fall back into the disastrous process and late payments of 2011-12, so it was important that we kept the pressure on to make sure that the Department did not fall into that ground again.

Here we have a system being implemented with land parcel identification system (LPIS) maps, whereby the

onus has been put on farmers to check their maps. When they check their maps and find errors, which can happen because it is a complicated system, they seek help from DARD. Months ago, farmers were telling the DUP that they were finding it hard to get any answers from DARD to get the processes fixed and reach a speedy conclusion so that they could use their maps and this information to apply for their single farm payment. Our big worry is that this will delay the single farm payment yet again, and we will go back to the horrors of 2011. When you talk to members of the farming community, it is very clear that they are dismayed with the processes and attitude of the Department of Agriculture and Rural Development.

I will give the case study of a farmer, not from my constituency but from west of the Bann. Farmers were forced to join queues to sit with DARD officers to make all the necessary corrections to their farm maps. Sometimes corrections had been made even the year before, yet DARD reverted to old data. The farmer that I mentioned had a two-month wait before corrected maps were issued, and that seemed to happen only after a phone call to the local DARD Direct office. The farmer was both amazed and horrified to find that there was still a field missing from his map. After a succession of frantic phone calls to DARD, he was finally told that there had been a glitch that caused this problem with a number of maps. Can you imagine a farmer going to DARD and saying, "There has been a glitch with my information"? When he pressed the issue further, he was informed that the maps would not be corrected until the following week. The DARD officials could not tell him when they envisaged posting out the new amended maps. Indeed, they went even further, suggesting that he was to blame for the missing field. When he pushed for more detail, they could not tell him what had happened for this fault to arise.

This farmer, and many like him, has described the process as shambolic. Many farmers have been forced to attempt to complete the forms with inaccurate and incomplete information. At the very least, they have had to leave it to the very last moment to fill in their forms. Some are still waiting 11 weeks after they sat in a DARD office to make the corrections in the first place. That is totally and utterly unacceptable. Some farmers have expressed to me their continued disgust at how the whole process has been mishandled. It has led to major concerns and a lack of confidence in this year's application process and the Department that is charged with implementing it. That is only one case study, but there are hundreds and hundreds of farmers in the same position.

You have to put into context the importance of the single farm payment not only to the agriculture or agrifood industry but to Northern Ireland's economy in general. Some 38,000 farm businesses in Northern Ireland receive a single farm payment. It is worth around £300 million to our local economy. Let me tell you that that money does not stay in a bank account. It goes into all sorts of avenues and businesses all over the country. It is the farming community that spreads and distributes that. It is very clear that DARD has once again failed the farming community. In the outworkings of the process, DARD will tell the farming community that the responsibility lies with them and that they will have to be inspected, which could lead to delays to their receipt of the single farm payment. It is vital that our farming industry receives the single farm payment

as quickly as possible. We should be in a position to urge the Department to implement advance payments.

There has never been crisis upon crisis in the farming community to the extent that we have had this year. Look at the crises that we have had: feed and fuel costs have spiralled out of control, with the grain men basically bankrolling the industry; there have been unfair and low prices for produce, meaning that most of our farmers are producing at a loss; there have been the horse meat scandals; and there was the wet weather of last summer and the snow crisis this year. All that has led to farmers having little capacity or capital to get themselves out of the problem. Farmers are also faced with bovine TB and all sorts of other diseases that penalise them.

We need a Department that will support, help and promote our industry, not hammer it at every opportunity. I know that there is a fear of European auditors. I know that, as a regulation body and payment agency, those auditors have to work within the rule of law. However, they are doing a shameful job of getting help and assistance to farmers at this time.

#### 5.45 pm

It is a disappointment that the Minister is not here because she tells us on every occasion that she can that she looks towards Dublin and the Republic of Ireland. I wish that she would look down south and see how our competitors in our neighbouring state are wiping the floor with her Department. Everything that they do is in support of their farming industry and to increase exports. They do not hinder, hassle and harass the farming community in the way that we do. I wish that the Department and the Minister would look towards Dublin to see best practice and to do something to start helping our industry and to push it to make sure that we can compete with our neighbouring states and countries in the EU.

In the time that I have left, I will address the amendment. The DUP supports the amendment because it adds to the detail of our proposal and outlines some measures that the Minister could put in place, such as advance payments. However, I regret that the Department is nowhere near ready even to seek permission from Europe for advance payments because it is in such bad shape. That is regrettable.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close, please?

**Mr Frew:** Thank you, Mr Deputy Speaker.

**Mrs Dobson:** I beg to move the following amendment:

*Leave out all after first "applicants" and insert*

*"; further notes that Northern Ireland still remains exposed to disallowance if the rules of the scheme are broken; and calls on the Minister of Agriculture and Rural Development to tackle the problem of delayed payments by seeking permission from the European Commission to make advance payments, including proportionally smaller advance payments for farms selected for inspection."*

I welcome the opportunity to move the Ulster Unionist amendment. At the outset, I declare an interest as my husband receives a single farm payment. It is abundantly clear to anyone linked to the farming industry that the Department has made a complete shambles of its mapping

system. On 5 March, when I spoke in the House on the issue of mapping errors, the Minister described my line of questioning as scaremongering. It is not scaremongering to raise the legitimate concerns of constituents and farm businesses that are struggling because of the Department's incompetence. On that occasion and in a subsequent question for written answer, I asked whether any of her officials were ultimately going to be held accountable. The answer was a resounding no. There was no discipline whatsoever from a Department that so often takes a zero-tolerance approach to farmers when it comes to minor errors and discrepancies. We are told that a technical fault caused the errors in 3,560, or 9%, of all farm maps. Once printed, those maps went through a so-called manual quality-checking process. That process resolutely failed, and I am glad, as the Minister informed me recently, that additional steps have been added to it. It almost seems as if no checking took place at all, and that the final batch progressed straight from the printer to the post. Perhaps the Minister could clarify that.

Year on year, mapping failures have cost the Executive millions in what should be an embarrassing episode confined to the history books. That is all the more worrying when you consider the disallowance payments that the Assembly has been hit with in recent years. The issue began with the Minister's predecessor and has been carried forward, unresolved, into the current Minister's period of office. It is entirely unacceptable for the Minister to continue to preside over a system that remains in chaos and is leading to hardship for many farmers. Although it should be recognised that progress has been made, the Minister of Agriculture and Rural Development and her officials must accept that she has a very long road to travel before the system will operate as it should. It should operate in the best interests of farmers across Northern Ireland, not to the detriment and potential ruin of their businesses. It is, therefore, in the interests of doing what is right for Northern Ireland that the Ulster Unionist Party has tabled the amendment.

Advance payments would be of huge benefit to every farmer in Northern Ireland, especially those chosen for inspection.

The Minister of Agriculture and Rural Development is famously quoted as wanting to take a team Ireland approach. However, when it comes to an issue such as farm mapping, where advanced payments have been available to farmers in the Republic of Ireland since 2007, she is content to operate at a snail's pace. Rather than directing her officials to make real and beneficial modernising change, she is content with "The old ways are best", when they clearly cannot continue. It is totally unacceptable that cash flow is withheld from farmers for up to nine months over a query that could be over as little as £30 or £40.

The old ways leave our farmers at a competitive disadvantage when compared with their rivals in what are increasingly ruthless global markets. The Minister of Agriculture and Rural Development needs to explain why she does not believe that advance payments are good enough for Northern Ireland farmers, especially when we have both remote sensing and LPIS in place. Perhaps her reason for holding back is that she fears that the Republic will be faced with future disallowances. Her clarification on these points would greatly advance the issue.

Through my constituency office, I can give countless examples of farm businesses that are clinging on by their fingernails because their single farm payment has been withheld from them. This lack of information, uncertainty and stress caused by this restriction of cash flow cannot accurately be measured. As we know, cash flow is key to future business planning for all farmers. Without that lifeline, growth will simply not happen, and, whilst I acknowledge that it is only a problem for a minority of farmers, for that minority, it is a complete nightmare.

The real problem lies with the farmers selected for inspection. Some farmers have told me that they feel totally victimised by the Department when it comes to farm inspections. I know that farmers are selected at random and that some are targeted. I can understand why this is the case, but farmers would prefer more honesty from the Department. What exactly constitutes at-risk farms? In an area where there may have been an application with errors, minor though they may be, why should farmers in the whole area be forced to go through endless delays? The people who would really be helped by upfront payments will be those who are chosen for inspection. For them, the long silent period between being informed about an inspection, an inspection taking place and then the seemingly endless wait to receive payment can be an incredibly stressful period. Again I ask, "How can any business be expected to operate under these circumstances?"

I fully appreciate that people may query why farmers should get any money before having an inspection, but there must be an element of trust involved, the trust that is afforded to the farmers who do not get inspected. I do not envisage that advance payments should be made at the same rate as for those not selected, but any payment would, nevertheless, be more desirable than the current situation. The Department holds data on all farm inspections that includes the numbers, the reasons why they are inspected, the findings and any subsequent penalty that was imposed. I am sure that, from this data, an appropriate upfront payment percentage could be established.

The Ulster Unionist Party is clear in our support for any necessary steps to benefit our local farming industry. It is all the more important that, when neighbouring countries are taking steps, those with whom the power lies in Northern Ireland are equally quick to move to support our farmers. For six years, advance payments have operated in the Republic of Ireland. In those same six years, farmers in Northern Ireland have continued to suffer at the hands of a system that presumes the guilt of our farmers and takes months to establish their innocence. This has to stop. If the Minister of Agriculture and Rural Development remains unwilling to introduce upfront payments, will she at least have the courtesy to put in place a deadline for the conclusion of the inspection process? Whilst farmers may grumble about being inspected, their biggest criticism is the time it takes for the process to conclude. I firmly believe that a clear target date needs to be set for the inspection process.

Again, I thank those who proposed the motion and commend the Ulster Unionist amendment.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. The single farm payment, paid to farmers each year, is vital to the existence of many of our farming

businesses. Many farmers rely on the single farm payment being made as early as possible each year. At the end of May 2013, almost 98% of the 37,500 claims submitted to the 2012 single farm payment process were completed and 98.5% of the 2012 budget had been paid out.

Each year, approximately €300 million of single farm payment is paid out to 38,000 people, benefiting some 25,000 farms and involving some 750,000 fields. That payment can be made in sterling or in euros. A decision has to be reached before 15 May, and the exchange rate is set on 1 October through the European Central Bank on that day. In the past, the EU Commission's auditors have expressed concerns regarding mapping, the consistency of inspections and the interpretation of rules. Therefore, the Department, farmers and the farming community, over this past few years, have been working together to address the EU's concerns. The outcome of all that work will be a greatly improved process. Once the process settles in, it will enable payments to be made more quickly. 2013 will be the first year in which the new mapping system will be used. The new maps will review all the fields to establish a maximum eligible area (MEA) for each field. That calculation is based on aerial photography, some of which was done a few years ago, and that is why farmers are asked to check their maps. Another feature of aerial photography is that it is not always able to clearly and correctly identify all the features in a field, such as heather, bog, lane ways and even scrub. All it takes is a phone call to the local DARD office to get that cleared up.

**Mr Elliott:** I thank the Member for giving way. One Fermanagh farmer told me that a piece of ground from Rathlin Island had been mapped onto his farm in Fermanagh. Even though he went back into the local Department of Agriculture office on three occasions to have it changed, it came back on each of those occasions with the same piece of land mapped in. Does the Member think that that is unusual?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr McMullan:** I thank the Member for his question. No. Mr Frew, on the Benches opposite, brought the same thing up. The problem here could be the local offices. I have been contacted about quite a few problems, and I am sure that other Members have found the same. I met the officials in those offices and was able to have my problems sorted out on that day. I do not say that there is no problem, but the problem may lie in the local offices in Fermanagh or Rathlin.

**Mr Elliott:** Will the Member give way?

**Mr McMullan:** I have already given way.

Another feature of aerial photography is that it is not always able to clearly and correctly identify all the features in a field. I have said that already. That why it is so important that farmers and the Department work closely together and make sure that all the changes are recorded as soon as the maps arrive.

The new maps were first issued from December 2012, and, by mid-February, farmers had received their maps, prior to the 15 May deadline for the SFP applications. The maps were issued in three batches, but, unfortunately, in the third batch, posted out on 3 and 4 May, there was a technical fault, whereby fields were missing from the maps. It affected only 9% of maps. All the farmers affected were given an extra two weeks to update their maps. If

necessary, it could be done at the local DARD office, and quite a lot of farmers did that.

Where a new map could not be produced in time — Members did not mention this — following a farmer having made a change, it is recorded in the system, and the farmer is given a form recording the field area change. That provides the farmer with the relevant details of the field or fields. That allows the farmer to manually add that information to his 2013 application form for single farm payment. The field will then be automatically pre-printed on the farmer's 2014 SAF form and on any future maps.

#### 6.00 pm

About half of our inspections this year will probably be traditional field inspections. So, the use of control with remote sensing has the potential to improve inspection timescales. In 2013, the number of inspections increased from 248 to 1,000. That will take the pressure off field staff working on field checks.

The use of LPIS maps will have the potential to speed up the process because there will be less work associated with map checking and fewer map updates will be needed. All of that depends on the farmer taking the advice given. In other words, if changes are not reported, inspections will be delayed, and that means delays in payments. The system is huge. Not only do we have a new system, but the present system must be maintained, including the payment system, etc. We have to try to speed up the payments but, at the same time, ensure that all our control processes are strong enough to stand up to EU scrutiny. This is a new system, and we must give it time to bed in. If I remember correctly back to last year, people were complaining —

**Mr Deputy Speaker:** Will the Member draw his remarks to a close, please?

**Mr McMullan:** — that not enough was being done. We have done this, and we should give it time to bed in. In the next couple of years, we should have system that will speed up payments to all.

**Mr Byrne:** I welcome the opportunity to speak on the motion, and I thank the Members for bringing it to the Assembly. I also welcome the amendment. The SDLP will support the amended motion.

I welcome the opening statements made by Mr Frew and Mrs Dobson. I was worried that, for the past year, I was the only person who was becoming a bit of a Rottweiler with DARD. The reality is that DARD is not delivering in the interests of the farmers, and that has been the experience of many farmers. We are all beginning to hear it, and we are hearing it so often that we have to come back to this debate. As we all know, it has been difficult for the farming community over the past number of years with bad weather, increased costs in fuel and feedstuffs, low farm gate prices etc. Hopefully, some of that will be relieved as the result of the better weather that we have had over the past 10 days, and, hopefully, we will get more of that good weather in the coming months. It was a respite that all farmers were waiting and hoping for.

That does not compensate the farmer who is working hard and is still waiting for last year's single farm payment from DARD. If any Member here was waiting for over a year for the pay that they were entitled to, they would be very annoyed and frustrated at how they were being treated.

Farmers are the same, and they need the money. It is not our money; it is money provided by Europe. Therefore, they are very frustrated to be told that, even though their inspection has been OK, there will be a delay of six months to a year before their payment is processed. When my office rings DARD on behalf of farmers, it is told that DARD is dealing with October's inspections now and that farm inspections that were due in November will not be looked at for another number of months. We have a situation where farmers have been inspected last October and have still not been paid. When we asked about the inspections that took place in November, we were told that they can be looked at only after October's inspection reports are finished. Even when everything has been finalised, it will take 10 to 15 working days for the payments to be processed. There is no interest due on the late payment for the smaller farmers, and they feel particularly aggrieved.

Many farms are inspected repeatedly every year, even though farms are supposed to be inspected at random. If farmers are applying for different schemes, that may result in multiple inspections in one year. The inspections are demanding and stressful and often happen without warning. Like any busy workplace, that puts the farmer under pressure. When any experienced DARD official inspects a farm, its compliance should be obvious and it should not come down to a box-ticking exercise only. No farmer should be subjected to repeat inspections unless serious questions have been asked about the standards on that farm. As much as any Member in the House, I want standards, but there must be some way to make staged payments to those farmers, rather than them having to wait for all their money to be agreed. I have, for a long time, asked DARD to make upfront advanced single farm payments of 80% after initial verification to help ease the cash flow problems that many of those farmers have experienced. Mrs Dobson and others mentioned the cash flow problems that many farmers are experiencing. If the Republic and other member states can do it, it begs this question: why can we not do it? Common sense must play some part in trying to have a sensible approach to the inspections.

Many farmers had reconciled their maps in 2010-12 after protracted discussions and visits to DARD offices, but the new LPIS maps will change that again. Unfortunately, more than 3,500 farmers have experienced errors in maps that were sent out to them when they were applying for their 2013 subsidy, in that many fields have been omitted. We have heard stories here today about that. This issue with mapping will cause even greater annoyance and frustration with farmers. The system has cost £23 million. Nobody has taken responsibility yet for what went wrong.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close, please?

**Mr Byrne:** Suffice it to say that DARD and its culture of management are not meeting the needs of farmers. I would expect that the Minister and some senior people, including the permanent secretary, must start to address some of these problems.

**Ms Lo:** I support the motion on behalf of my Alliance colleague Kieran McCarthy, who has had to leave the Assembly on business.

I understand that the payment came into being on 1 January 2005, and it is the main subsidy scheme for farmers in the EU. As such, Members will realise how important — indeed, it is vital — it is for the survival of the farmer and the landowner and how important it is for the applicant to receive the single farm payment at or on the expected date, which is usually around Christmas every year.

As has already been said, to qualify for the SFP, there is a range of criteria to be met, the main one being the exact hectareage to be presented on the appropriate DARD form. As we are all aware, some time ago, Brussels was not happy with the quality of forms being presented, thus the disallowance incurred by the Department. Further investigations revealed that applications were made and money was paid out on areas of land that did not qualify for payment. As a result of that, the Department undertook a complete examination of every field in Northern Ireland, and it is those maps that are now causing problems regarding accuracy.

This very serious problem has been raised at the Agriculture and Rural Development Committee regularly, and officials and the Minister are very well aware of it. In the pack from the Research and Information Service, which we are indebted to library staff for, you can see that many Members have also raised questions on the issue. As I understand it, the Department has spent quite a lot of money on the land parcel identification system. Now, it appears that many anomalies exist when using that system, and with those anomalies comes delay. It is imperative that we overcome those problems at the earliest opportunity.

In recent times, the Agriculture and Rural Development Committee has heard presentations from DARD officials and various farming interest groups, all spelling out the problems as they see it. I am sure that the Minister and her officials are aware of the problems and will take whatever action is necessary to see, once and for all, the smooth running and completion of this vital component of the farming industry. We support the motion and the amendment.

**Mr Irwin:** As in previous debates on agricultural issues, I declare an interest as a dairy farmer and someone who receives a single farm payment. As a farmer, I have an acute awareness of the issues facing our industry in current times, and it is from a position of awareness that I will make my comments.

Being a farmer and a member of the DARD Committee, I get calls from farmers across the Province. I value the views of those working at the very heart and first rung of the ladder of the agrifood industry. Those views are important and should be listened to at the highest levels of the Assembly. Any action that can be taken by the Minister and her Department must be taken to lessen the burden on farmers.

For many farmers, the single farm payment has become a lifeline for the farm business and for the industry, especially over the past few years. That is because of the immense pressures that have been brought to bear on the industry by energy costs, the weather and the immeasurable difficulties presented to farmers over the past 12 months, including rocketing input costs such as feed and the inequity of the supply chain in fairly

compensating farmers. All those issues combined have left farmers having to wait for a single farm payment for over six months — longer in many cases — leaving a farm business in a difficult position as the banks breathe down the necks of our farmers, waiting for the cash. I spoke to many farmers in that position, and the stress and strain for the farming family involved is huge.

The roll-out of the new LPIS maps has been far from straightforward. I have stated in the press and in the Chamber that farmers have borne the brunt of the Department's mishandling of the issue. I continue to hold the view that it is acutely unfair for farmers to be held responsible for the inaccuracy of the maps. The Department cannot use farmers as scapegoats when it is the Minister and her Department that have caused the confusion and concern for farmers in the first instance.

A farmer told me that a recent farm inspection by DARD officials threw up an error that resulted in a £7 deduction from his single farm payment. Even though the error was small, the inspection process and administering the corrections took an age to sort out. The obvious question is whether the chasing of that £7, compared with the thousands of pounds it cost in administrative fees, is worthwhile. The farmer in that instance rightly shook his head in bewilderment. Certainly there should be an investigation when there is an obvious error involving a significant portion of land, but we must ask whether such minor errors deserve such a costly response from the Department in time and money. I have spoken to those in the Department and form fillers outside the Department who are fearful that, come December, there will be an avalanche of minor errors to investigate. We could, for instance, be talking errors of a few square metres, yet the time and money required to investigate those errors will cause significant hardship for farmers.

Many farmers I have spoken to went through their maps in fine detail, yet many had reservations about the process. Taking a swathe of opinion on board, it is fair to say that there are genuine fears that payments will be significantly delayed because of minor errors unless the Minister and her Department take a different approach to investigating errors. I understand that the EU demands rigorous auditing of the single farm payment. However, there must be an element of realism in the system.

On the back of the recent winter weather and the hardships that continue to hamper our industry, we need the next round of payments to be processed in double-quick time. The pressures that have been exerted on the industry in recent times mean that farmers are fully reliant on their payments to ease those pressures. Any delay will be extremely costly for the industry in the short and longer term. Many farmers are experiencing real financial trouble following such a wet and cold start to the year. Grass yields are proving to be light, which means that pressure could again mount next winter in feed supplies and additional costs. Farmers need to be assisted by the Minister and her Department, not hindered.

**Mr Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr Irwin:** Advance payments certainly would help. When there are inspections and errors, advance payments would cut the long wait for many farmers. I plead with the Minister —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Irwin:** — to find a resolution to that or, come December, there will be big issues for the industry.

**Mr Deputy Speaker:** The Member's time is up.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. There can be no underestimating the importance of the single farm payment to our farming communities, particularly given the hardships experienced over the past 18 months. There was unforeseen weather, rising costs and falling prices, not to mention the additional costs incurred during the recent fodder shortage.

Many farmers rely on receiving their payment as early as possible to keep their farm sustainable, so I can appreciate the frustration and anxiety that any delay in the process can cause. That point has been well made by Members today.

#### 6.15 pm

The introduction of the new mapping system has been a massive and complicated piece of work, but as the single farm payment is worth almost €300 million a year to the rural economy, it is crucial that all necessary steps are taken to get it right in order to militate against disallowance fines being imposed by the European Commission. The maps had to be brought up to the required standard, which required DARD and farmers to work closely together to ensure that they were accurate, not just now but as part of an ongoing process when land usage and boundary changes occur.

When fully implemented, the new system will, hopefully, result in a simplified process and speedier payments, which is, ultimately, what everyone wants. Like many new systems, it has not been without problems, but we need to put the scale of the difficulties into context. We are talking about the remapping of 750,000 fields for about 38,000 farm businesses. Farmers began to receive new maps at the turn of the year, which allowed time for checks and any necessary changes to be made ahead of the single farm payment application deadline. It was unfortunate that the technical error that led to 9% of maps being issued with incorrect information happened during the final batch to be sent out and, therefore, closer to the deadline. I am pleased to note that the error was discovered quickly and that the Minister moved swiftly to minimise its impact on individual farmers by extending the opening hours of DARD Direct offices where necessary and delaying the single farm payment application packs of those affected for two weeks. I am aware that a small number of farmers have outstanding issues to be resolved. As I said earlier, I fully understand the difficulties that any potential delay in receiving the single farm payment can cause for farmers and their families, so I have no problem or difficulty supporting the motion.

**Mr Rogers:** I support the motion and the amendment. Farmers expect to receive their single farm payment in December, and this expectation is central to their financial planning. When a farm inspection is initiated, it can mean a delay of up to six months and severe financial consequences for the business. The delays cause problems servicing bank loans and making payments to feed, fertiliser and fuel companies. One farmer told me that his heart was in his mouth when he received notice of an inspection, not so much because of the inspection but because of the subsequent delay in receiving his single farm payment.

Repeated random inspections add great pain to an already difficult situation. It appears that if you make a genuine mistake one year, you could be penalised for a number of years. I know farmers who have had random inspections in each of the past three years. I certainly believe that there is a need for an inspection process, but it needs to be used appropriately. DARD needs to start inspections earlier to utilise the longer days.

DARD continually plays down the problem of inaccurate maps. A Member opposite talked about a minor glitch that affected over 3,500 farm businesses — 3,500 is not a minor glitch. A computer acronym that comes to mind is GIGO — garbage in, garbage out — which simply means that a computer does not make a mistake; it requires human interference. In a recent question to the Minister, I asked how the mapping system accounted for hills and hollows in the terrain. The answer was that farmers need to check that for themselves. That failure in communication also means that farmers generally have to accept the maps that DARD produces as correct. However, if inspected, there may be differences between what a farmer and DARD consider to be eligible or ineligible land. That may lead to severe penalties that, in some cases, wipe out the single farm payment.

Although a pilot on remote sensing has been carried out, this method of inspection requires more serious consideration. Many EU member states use the technology as part of the inspection process, and there is anecdotal evidence to suggest that it is much cheaper. The cost associated with DARD officers travelling hundreds of miles, criss-crossing the North, is phenomenal and needs to be reviewed.

Other problems arise in the process after an inspection has been carried out if penalties are applied. The system for penalty calculations is very complicated and, in fact, cannot be followed by Northern Ireland Agricultural Consultants Association (NIACA) members. They find it very difficult to reconcile the inspector's report with the level of financial penalties imposed. DARD provides examples on how the calculation is prepared, but, according to NIACA, they were found to be incorrect.

Penalties can be retrospective, and I will mention one or two examples of cases. A farmer was penalised because he sent his MC1a form along with his fallen animal, instead of sending it to his divisional veterinary office (DVO), as he had done in the past. He was told by the enforcement branch that he should have informed the DVO, but the farmer was unaware of that because, the previous time he had a fatality, he followed the same procedure. However, the rules had changed. He was told by enforcement that he should have known that the rules had changed. Another farmer was penalised because he had put down the wrong date of birth for five calves. He was told that if he reported to his local DVO, there would be no penalty. He did that, but DARD decided that he had committed a cross-compliance breach, because he had had a breach a couple of years previously. He was fined again.

I want to mention briefly the countryside management scheme. It is choked up with bureaucracy as well. A farmer was penalised because he built a double-skin stone ditch instead of a single-skin one. There needs to be a common sense approach to inspections and a greater tolerance of genuine mistakes. In my view, there is a need for a "yellow

card" system — a warning that the farmer needs to get an issue sorted out within an agreed period.

Farmers are not criminals, but they are very angry about how they are being treated. As one farmer said to me, "If a farmer had been responsible for the horse meat scandal, he would be in jail."

There is no point in blaming Europe for the bureaucracy. Simon Coveney assures me that Europe sets the guidelines, but it is the Governments that interpret them. Minister, what discussions are taking place with DEFRA? What is the Department doing to tackle the slow tail of inspection payments and to shape the type of advice that farmers are given so that eligibility issues are dealt with more effectively?

It is very important that the single farm payment is drawn down as quickly and as efficiently as possible. The economic impact of delayed payment affects everyone, from farmer to housewife. A more efficient inspection process is central, but the bureaucratic wheels of DARD need to get in gear fast —

**Mr Deputy Speaker:** Would the Member draw his remarks to a close?

**Mr Rogers:** — if the potential of our agrifood industry is to be realised. Without farmers, there will be no agrifood industry.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Although I appreciate the value and importance of the single farm payment for the rural economy, particularly in light of the atrocious weather that farmers recently experienced and the economic pressures that have come to bear on them, I think it is important to state that the mapping process was carried out on a huge scale, as has been well documented this evening. It was a huge operation, as has been said. It is a matter of regret that there was an issue with some of the maps. In fact, it went OK for 91% of applicants, but there was an issue with 9%, who, I believe, were in the final batch. It is only fair to point out that, when that was discovered, the Minister and the Department took action to address it. As was said earlier, that included longer opening of the DARD Direct offices and the redirecting of some staff to those offices to get the issue addressed. Furthermore, the SAF packs were issued two weeks later for those affected.

For what it is worth, our party supports the proposal for advance payments. That has been worked towards in the form of the new LPIS system and trying to get as many farmers as possible online. There has also been quite a bit of progress made in remote sensing.

The Minister acted in the face of some of these issues. The motion makes reference to support for farmers. It is important to say that the Minister and her Department have taken steps to support farmers. For example, during the year, she suspended modulation on the single farm payments. That will see an additional €20 million in the pockets of farmers this year. She also argued the case for the continuation of the single farm payment/less-favoured area compensatory allowance (LFACA) dual claims, in light of the conacre system that is prevalent in this part of the country.

Indeed, on the topic of LFACA, payments came out earlier this year and were worth in the region of £25 million. The Minister has asked her Department to look favourably at



any applications for force majeure in respect of farmers who lost livestock in the recent snow, because that may have affected their density and, in turn, their LFACA payments. Of course, she introduced the hardship scheme and the fodder transport scheme for those who were worst affected.

In support for farmers, I know that people are entitled to be critical of the Minister and the Department, but it is important to counterbalance that. Some points were, quite rightly, raised today about the mapping system, delayed payments, and one thing and another. However, there are some good points, which I have just referred to.

**Mr Frew:** I thank the Member for giving way. Yes, he is right to point out all those short-term support measures that the Minister has put in place over the past year. Of course, we are very grateful for that assistance and help. However, would it not be of better benefit and more assistance to the farming community if she were able to transform the Department, which is, at present, a plundering giant, into one that is much more agile and speedy in assisting and helping the industry when it hits crisis after crisis after crisis? Would the farming community not thank her more if she were able to do that?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr McAleer:** I thank the Member for his intervention. In fairness, there is recent evidence to suggest that the Minister and the Department can move quickly and decisively to address issues as they arise. We saw that during the recent snowfall in March, when the Minister went to the Executive and got the hardship package delivered. We have also seen it with regard to the fodder transport scheme. A lot of progress has been made to get LFACA payments out earlier this year. I believe that there are as many as 1,000 farms in the pilot scheme for remote sensing. Hopefully, that will speed up inspections and payments and open up the potential of advance payments in line with rest of the country, which people referred to earlier.

To get back to my point, I want to try to counterbalance things a wee bit. Yes, there are issues. However, we are moving in the right direction. I want to mention some points. For example, the recent injection of £5 million into rural broadband was very important for rural areas. There has been investment in the rural borewells scheme, and £13 million investment in rural childcare. Money has been invested in rural businesses, farm diversification and, indeed, rural community organisations. Of course, the Minister has been over there arguing the case for a package that is tailored for this region as part of the CAP reform negotiations.

In conclusion, therefore, I support the motion and thank the Members who brought it to the House. We support it. The mapping error certainly was an issue; it affected 9% of applicants and it probably could not have come at a worse time.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close.

**Mr McAleer:** Thankfully, we are moving in the right direction. We support the motion.

**Mr Allister:** Various words, such as "shambolic", "appalling", "pathetic", and many more besides, have been used to describe the situation that has resulted from

the mapping crisis. In truth, few of them are adequate. This is a failure of a colossal nature. It is a failure by government. You would think, to listen to some people in this House, that we did not have a system of government in which there is supposed to be a Minister who takes responsibility. One would think that it was always enough to say, oh, technical difficulties, or someone else's fault. When do we ever, in this House, get to the point when a Minister will stand up and say, "My Department has failed, and failed lamentably: I take responsibility for it and will act accordingly."? It seems that we never get to that point in this House. I suspect that we will not get to it today as the person who is replying to the debate is a Member who knows nothing about farming and is someone who represents West Belfast. I suspect that the chances of this debate reaping anything of value are nil, but there are points that need to be made.

### 6.30 pm

The situation is aggravated when the Minister's apologists tell us, "Oh, all it takes is a phone call to get it sorted out", as Mr McMullan did, or, "Do not worry so much about it. Did we not put wonderful money into childcare?", as Mr McAleer did. Sorry; we are talking about issues that touch on the survival and, sometimes, the sanity of farmers, who are so pressurised and so at their wits' end that this is not to be trivialised and swept aside by saying, "Oh, it is terrible that it has happened, but it is only 9%". There is a responsibility on government that goes, or should go, something like this: if you implement a scheme and a system, you have a duty of care to those affected by it. Where is the duty of care demonstrated by the Department towards the farmers who have been detrimentally affected by this scheme and by the maps that are utterly useless and riven with errors?

We who are in touch with the farming community could regale the House with many episodes and incidents of farmers affected by this matter. Let me deal with one: a farmer who farms marginal lands in the foothills. Some of the land is classified as low and raised bog, and it has been accepted into the countryside management scheme because it meets the fundamental criteria of that scheme for such land: it is available to provide forage, has access for grazing and has a history of grazing. All that is set out in, I think, OT3 of the guidance. It is accepted into the countryside management scheme, but then the maps come along, and the land is coloured purple, meaning that all of it is disallowed. An inspector photographs cattle grazing the land, but it is still disallowed. The restriction on grazing to three months of the year is because of the countryside management scheme obligations, and yet the Department seeks to maintain that that farmer is not entitled to include that land. When he complains, the answer is, "Oh, you can appeal it". Yes, he can appeal it, but when? By that stage, he is liable to be bankrupt. His single farm payments for 2012 and 2013 have been denied, but he is simply told, "Oh, you can appeal it". What use is that? Where is the sense —

**Mr Deputy Speaker:** Will the Member draw his remarks to a close?

**Mr Allister:** — of responsibility for a Minister who recognises that this is a shambles of her making? It is time that she faced up to that. It is clear that she is not bearing any pain —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Allister:** — but there are many who are. It is pain that she should feel but sadly does not.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** Go raibh maith agat, a LeasCheann Comhairle. The Minister of Agriculture and Rural Development welcomes this debate on the single farm payment and the implications of the new land parcel identification system maps for the 2013 single farm payment process.

As Minister O'Neill has previously advised the Assembly, the single farm payment is vital to farmers. At about €275 million, it is practically equivalent to the profits made in the sector and represents cash income on which farmers depend. It is claimed annually by over 38,000 farmers, on the basis of the 750,000 fields that they farm. Each field must have its boundaries correctly stated, and the eligible area in the field must be correctly calculated. Only one farmer can claim single farm payment for each field.

DARD and the farming community continue to work hard to achieve the highest standards of administration of single farm payments. Over the past five years, they have worked together to address European Commission concerns about the interpretation of rules; consistency and rigor of inspections; and, most significantly, land parcel identification system maps. Once it beds in, the outcome of this work will be a vastly improved administrative process, and we believe our controls should meet European standards and enable more accurate payments to be made in a more timely way. However, 2013 is the year when the new mapping control is being used for the first time, and it will be 2014 and 2015 before the full benefits are realised.

This year, the Department had three objectives for improvements to farm maps. First, to review all fields to establish a maximum eligible area for each one. Secondly, to issue new maps to farmers, and, thirdly, to get farmers to fine-tune the information on the maps to state the eligible area on which they would base their claim. These three objectives have been achieved. The Department has calculated the maximum eligible area for each field, a new map has been issued to each farmer, and the Department is very pleased with the response that it has had from farmers to fine-tune the information.

The calculation of maximum eligible area was based on aerial photography. Some of the photography dated from a few years ago, so a significant proportion of the updates that farmers and agents made related to things that had changed on the ground in the meantime. It is simply not true to suggest that all the changes were necessary because of departmental error. Of course, it is not always possible to correctly identify all the features in a field from an aerial photograph; for example, overhanging trees can obscure detail on the ground. In regard to some vegetation, such as heather or bracken, it is difficult always to determine whether it is eligible from a photograph. That is why it is important that staff work closely with farmers to keep the mapping information accurate and that farmers tell the Department about the changes needed.

The maps were issued to all farmers between December and February so that changes could be made, where necessary, ahead of the single farm payment application forms being issued and the application deadline. Although the overall objectives have been achieved, there have

been some process issues. Members will understand that this has been a complex task, and not everything has run as smoothly as the Minister hoped. The remapping of all the fields has had to take place alongside the continued running of a live system to accept applications, accept farmer changes and inspection findings, and make payments. The Department had to make sure that existing controls, systems and, ultimately, payments were not jeopardised.

There were two significant problems. First, it is regrettable that, for about 9% of maps, a technical problem occurred that meant that these maps were produced and issued with a significant number of fields missing. This should not have happened, but it was quickly fixed. Although these fields did not appear on the affected maps, they remained at all times in the Department's database, and farmers could update them, if necessary, in DARD Direct offices. The maps were reproduced in just over two weeks and affected farmers were given an additional two weeks to examine and update their map if an update was required. In the circumstances, I believe that this was a strong and appropriate response on DARD's part. Secondly, it was difficult to get all the information provided by farmers and their agents on to revised maps and send revised maps to farmers in every case. Until the middle of April, farmers who had told us about changes were given a replacement map, and the last of those arrived with farmers by 5 May. Maps were also available online and through DARD Direct offices. However, those farmers who raised changes later were provided, if they visited DARD offices from the middle of April onwards, with the information they needed to complete their application in a format other than a revised map.

Where does this leave us now? Today, 10 June, is the final day for receiving 2013 single farm payment applications. Up to and including 6 June, 37,706 applications had been received. It is good to see that this number is only slightly down when compared to the figure of 37,890 application forms that were received in 2012, particularly against the backdrop of numbers falling year on year for many years.

Twenty per cent of applications were received online. The Minister would like to see that number increasing. Applications online are subject to built-in rules and prompts that will help to avoid many obvious errors, making it easier for the farmer to comply. Also, paper applications have to be scanned onto the system and checked, which is inefficient and expensive and delays the start of the inspection process. More online claims mean faster payments in the long run.

What happens next? There are two further processes: verification and inspection. Over the coming months, we will be verifying the information declared by farmers on their claim forms to confirm eligibility. Significant resources are required each year to investigate and reconcile incorrect claims and to resolve queries on claims. That slows down the validation process and delays payments. Although we hope that most claims will be accurate and can be paid quickly, we are obliged to assess eligibility in accordance with EU rules and can only make payments when eligibility has been fully established. If farmers have not followed the advice and have ended up claiming more than the maximum eligible area we told them about for any of their fields, that will have to be investigated.

Farmers still have time to correct their applications if they need to. I encourage them to do so. If farmers find that they have mistakenly claimed a field for the single farm payment or LFACA because someone else is claiming that field for the same scheme or if they think that they have unintentionally claimed more than the maximum eligible area, they still have time to tell us about that and remove it from their claim. They need to do that now, before the administrative and on-the-spot checks start. That will avoid delays later trying to sort it out and could avoid penalties being applied. Also, if the Department contacts farmers with a query on their claim, they need to respond quickly so that they can sort it out and finalise their claim as early as possible.

The Minister recognises that some particular difficulties were experienced this year by some farmers because of mapping information. Assuming that the farmer has abided by the scheme's rules, the Department will consider a number of situations in which overdeclaration penalties would not be appropriate in individual cases where the farmer has claimed more than the maximum eligible area on their map.

As far as on-the-spot checks are concerned, DARD is required to check at least 5% of SFP cases to confirm the eligibility of the fields claimed. There was very significant progress in 2012 to update our systems and processes associated with the EU requirement to carry out the checks. One important outcome of the improvements was that DARD was able to start paying the 2012 inspection cases earlier. By the end of the year, it had paid five times more inspection cases compared with 2011. By the end of May 2013, during a period of significant difficulty for the industry, almost all the inspected farm businesses had received their 2012 single farm payments. Through all those enhancements, it was necessary to ensure that the quality and accuracy of inspections was maintained. That commitment to quality has been confirmed through recent independent audit checking of the inspections, which has shown that the quality of inspection controls was high.

One of the new and unquantified challenges this year will be the impact of the new LPIS maps being used during inspections. Once again, the Minister commends farmers for their commitment to updating the maps that were issued earlier this year. Where a farmer has updated their map and claimed carefully, making any further deductions from their maximum eligible area, that will speed up the completion of their farm inspection. It follows that, where changes have not been reported, it is likely to delay the inspection process. About half our inspections this year will be carried out using traditional field inspections. The Minister has decided to significantly increase inspections using satellite imagery this year to approximately 1,000, which will help to relieve the pressure on field staff to maintain the timely completion of field checks.

The Minister is satisfied that the Department's inspection controls are fit for purpose. She hopes to consolidate the progress that has been made in speeding up inspections and the processing of results. She will keep these processes under review to ensure that that remains the case.

#### 6.45 pm

Looking towards the end of the year, it is too early yet to be definitive about targets for 2013 single farm payments. As in previous years, the Department will work to complete

as many 2013 single farm payments as possible at the earliest practical date.

I now want to cover some of the concerns that were raised by Members. A number of Members raised the issue of advance payments. While DARD will not be in a position to make early payments this year, the Minister of Agriculture and Rural Development is committed to seeing this facility introduced as early as possible and improvements made to the maps. The bedding in of control with remote sensory techniques should allow us to complete our processes earlier and put us in a much better position as far as early payments are concerned.

Issues were also raised about the mapping problems and who would be held to account for those. I think that it was Mrs Dobson and Mr Byrne who raised those issues. The work that has been done to date has been complex and challenging. It is accepted that not everything has gone as well as had been hoped, but it is clear that any issues that have arisen have been dealt with as quickly as possible.

I now turn to Mr Rogers's point about what DARD is doing to interact with DEFRA and Europe to improve arrangements for farmers. DARD is actively involved in seeking to improve the arrangements for delivering single farm payments, not just in the context of the CAP reform negotiations but through its involvement in paying agency conferences and learning networks, which explore ways to make the delivery of those schemes simpler and faster.

I will now make some concluding remarks. I want to take the opportunity to thank the industry again for the positive way in which most farmers have responded to the challenges we face this year. Getting this right is vital as part of the effort to tackle the concerns raised in the past by the European Commission, but it also gives us a more stable platform for the future as we move towards CAP reform, with all its uncertainties. While we have clearly taken a big step in strengthening our controls through the LPIS mapping project, it is important to recognise that we constantly have to balance the impact of improvements against the need to make as many payments as early as possible. We also have to ensure that all our control processes are robust enough to stand up to audit scrutiny.

The Minister is committed to providing a compliant, accurate and timely delivery of payments, as required by the EU. The Department has made progress during previous years in working through the challenges presented by the audit criticism and the need to embrace new technology. We continue to face those challenges in 2013, and I know that the Minister is encouraged by the progress and commitment shown by our mapping, inspectorate and payment teams in meeting the challenges of 2012 and enabling the delivery of much quicker payments. Through the increased use of new technology and the continuing improvement in the accuracy of LPIS maps and farmers' claims, I am confident that we can maintain this position and lay a solid foundation for timely payments in the future. I support the motion.

**Mr Swann:** I thank the Minister for her response. Earlier, Jim Allister summoned Basil McCrea by saying that he was not here, but I noticed that Jim criticised the Minister for not knowing what she was going to talk about and then left before she had the chance to say it. I think that he will maybe be watching the debate on TV or will get a chance to read it.

One of the things that I would point out is that our amendment, which I take it has been accepted by all parties in the House, further notes:

*“Northern Ireland still remains exposed to disallowance if the rules of the scheme are broken”.*

We have to remember how much money has been lost to the Northern Ireland economy through the disallowances that have been applied. Those disallowances have mostly been due to mapping errors and inaccuracies. The issue has been raised many times in the House since I came into it, and we have always been led to believe that the Department is almost blameless in any of these errors; that it is always the farmer who is to blame when we get bills from Europe for £72 million, £84 million or whatever it is. I heard the Minister's response about satellites, drones and how remote imaging is going to satisfy all those concerns, but I am concerned that, if we do not get it right, we are going to be liable to far more errors. So we have to be sure that the steps that we take will be for the benefit of farmers and the industry in general in Northern Ireland. Aerial photography is mentioned continually, and a number of the Minister's party colleagues raised the prospect of it. The problem is that aerial photography does not take into consideration the gradient of a steep sloping hill in providing the overall area of the maps, which I know that the Minister has said that the Department has sorted out. It has not. People have been and are coming into my office to point out that the areas of their fields are still not correct because of the sloping nature of those fields.

**Mr Clarke:** Will the Member give way?

**Mr Swann:** I have limited time. You have 10 minutes at the end, Trevor; work away.

I am glad that the Ulster Unionist amendment has been accepted. The main motion refers to speeding up the overall inspection process. We tabled the amendment because we are concerned that a speeding up of the inspection process would not help farmers' cash flow. We have heard evidence here of case studies. I think that Mr Rogers said that people who submitted forms in October are still waiting. Speeding up solely the inspection process would not have quickened up the paperwork or the final payment to farmers. I know that Members here talk about 9% and 5%, but those are mostly small farmers who are under critical pressure at this time, particularly with cash flow. Cash flow in agriculture and in farming has dropped. In 2007, it was £237.3 million. It dropped last year to £158.6 million, a fall of 25% over that period. In 2012, bank borrowing on agricultural loans was £821 million, which is five times more than cash flow. That does not take into consideration the money that is left for feed, fertiliser or fuel distributors. Speeding up the inspection process was not going to solve that at all.

Mr Rogers also mentioned the Northern Ireland Agricultural Consultants Association. We had correspondence from it stating:

*“During previous years, farmers have filled in many correction forms, spent time in DARD offices, had inspections carried out by DARD inspectors, all making alterations to comply with the ever-changing rules. All this has been ignored. All and any previous alterations have been trashed as a result of these changes being ignored once again by DARD. DARD are blaming*

*the customers — to use their term for farmers. There seems to be a serious communication issue between LPIS and DARD. They sent out maps, which were wrong. Land was even missing from businesses, and DARD walk away and then try to blame the farmer.”*

**Mrs Overend:** Will the Member give way?

**Mr Swann:** Go ahead.

**Mrs Overend:** On that remark about correspondence being inaccurate, I wrote to the Minister regarding this issue on behalf of my constituents. I received a response only last Friday, telling me to urge my constituents to get their papers in for 31 May. How ridiculous was it to urge me to do that when the deadline was past?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr Swann:** Thank you.

Had the Minister the chance to come back, she would probably describe that as a glitch. It seems common parlance for the Department to describe anything technical or computer-driven as a glitch or to say that somebody else, somewhere, is to blame.

We tabled our amendment specifically because of the nature of the pressure that we are putting on our farmers. We want to bring forward even part payment to try to get cash flowing and money back into farmers' pockets. I think that it was in the Ulster Unionist-led debate that we talked about the 52% drop in farming profitability in the past year, and we asked the Minister to commit to the £400 million that has been promised to the Agri-Food Strategy Board. I have a question for the junior Minister in her own role rather than that of responding for the Department of Agriculture. I will even give way for her to answer. Is there a willingness in the Executive to find that £400 million to support our agri-industry as widely as possible? Does the Minister want to respond? That is fine. I will ask in other ways. I have submitted questions for written answer on this, and I look forward to receiving a commitment —

**Mr Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr Swann:** — from the Executive.

In conclusion, Mr Byrne and Mr Rogers used the phrase that the Department needs a “common-sense” approach. From what we have seen, the thing that is lacking most in the Department at the minute —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Swann:** — is common sense.

**Mr Clarke:** Like my colleagues, I am pleased to accept the amendment proposed in the name of the Ulster Unionist Party. Although it is calling for advance payments, I suggest that the Minister should expect that we will be looking for possibly between 70% and 80% of an advanced payment, if we want to be more specific in relation to that.

It is disappointing that we are having a debate on the most major industry that we have left in Northern Ireland and that the Minister is not here. I appreciate that she is unwell today, but I suspect that it would perhaps have been better to put the debate back in order to have a relevant discussion and debate with the Minister, as opposed to a pre-written statement from her or her officials — much like the contribution from her colleagues in Sinn Féin,

who were basically only paying lip service here today. I emphasise that it was not until the third Member from Sinn Féin spoke that they even suggested that they would support the motion or the motion as amended. The tone was disappointing. Indeed, the first Member from Sinn Féin to speak spent the full five minutes speaking about how wonderful agriculture was, and did not actually emphasise the difficulties and problems faced by the farming community. The very purpose of the debate was to talk about the problems with the single farm payment, and, particularly, the mapping.

I found it interesting listening to Mr Byrne describing himself as a Rottweiler. I would never say that about Mr Byrne, but there is someone who came much later than that who one perhaps could describe as a Rottweiler, but he has now left the Chamber. His contribution was worthwhile. He spoke about the Minister and her Department not delivering for farmers. I think that that has come out in the tone of the whole debate from all sections of the House, except, obviously, the Members from the Minister's party, who were here to put her on a pedestal today.

My colleague talked about the lack of confidence, and I think that has been the tone of the debate. Indeed, the proposer of the amendment spoke about confidence as well and the problems that the farming community faces on a regular basis. I do not think there is one of our offices that is not contacted annually about payments and problems relating to them.

It is interesting, when you look at the whole debate, to consider how much money has been paid for this mapping system. This is not new; it is actually the second time we have had a go at it. Then we tell farmers that it is their responsibility to check their maps and, if there is something wrong with the maps, to fix them and inform us. We have had this problem in the past, and all of the errors associated. We have a new system. Before the system was up and running we had inherited problems with that, and we are still saying to the farmers, "Here is your map, but go and check it. This is the best we can do, but, if there are any problems, it is your fault". Where else would accept that? I suggest that the Department would be much better taking the money it has spent on the system, give it to the farmers and tell them to employ professionals to carry out their own mapping exercise. First, the Department probably would have saved money, and, secondly, it would have felt reasonable to blame the farmer, or the agent acting on the farmer's behalf, for making mistakes in relation to the mapping.

**Mr Byrne:** I thank Mr Clarke for giving way. I think it is well-recognised that Ordnance Survey of Northern Ireland is the expert on mapping. I fail to understand why DARD did not employ it, rather than that private company with an electronic system that has plainly failed.

**Mr Clarke:** You could say that. We could say how good a job Ordnance Survey does in relation to all of the mapping that it does for Northern Ireland. You could also criticise the Department for previously taking the maps to India and getting the Indian people to do our mapping in the past. Look at the problems we had there. That is why I am making the point that I think it would be much better if the money spent in relation to that was actually given to farmers themselves to employ individuals to do the map, if

the Department is expecting farmers to be responsible for what they are submitting.

We also heard today about issues raised with the maps and the contact that was made with the Department. The one that strikes me most was the example that Tom Elliott gave today — we have heard a few different examples — of someone who got a map, identified a mistake, took it to the local office and it came back wrong again. They went back to the local office again, and it was wrong again. That happened three times. What does that say about how the Department is treating the individuals in terms of the process and the concerns that they have? What if that farmer, or any other farmer in the same circumstances, had taken the map and assumed that the Department was doing the job correctly, had corrected the error, and continued on? Fortunately, in that case, it was obvious that the farmer whom Tom Elliott mentioned had the good sense to check his map the second and third time, rather than putting it in and being penalised at a later date.

#### 7.00 pm

Surely there is something fundamentally wrong with our system when we are told that the Minister is giving farmers two weeks to check their maps but, when they do that, they find that the Department is still getting it wrong. The Minister needs to do more in the way that she goes about her business to hold people to account, rather than penalising farmers continually.

There are three arabesques in the ceiling of the Senate chamber that represent shipbuilding, farming and the linen industry. Two of those industries are gone, and the only one that we have left is farming — and look at the shambles that the Department is making of it. Look at the shambles that we have seen, year after year. Jim Allister gave us a few words from the dictionary that you could use for the situation, but it is a shambles, and the sooner the Minister and her Department face up to their responsibility, the better.

The other interesting thing that came up — Members have had differing views on it — was the idea of zero tolerance, which Jo-Anne Dobson mentioned. She is right; there is zero tolerance from the Department. We have heard mention many times of gold-plating. Sinn Féin likes to idolise its all-island strategy, but our nearest neighbours are the ones who continue to talk about advance payments. Sinn Féin will not follow their example. Why is that?

**Mr McMullan:** Will the Member give way for clarity?

**Mr Clarke:** No. I will not give way to you; you would not give way to me earlier.

The Minister harps on about an all-island policy, but our nearest neighbour is doing something to support the farming community. Why is the Minister not doing that?

**Mr McMullan:** If you would let me tell you —

**Mr Clarke:** The Member continually wants to intervene but he had five minutes and all that he did was praise the Minister, read out a résumé of how wonderful she is and tell us what a wonderful job she is doing. If you go out and speak to most of the community today about how she is performing for the rural community, I would say that the answer is definitely not wonderful.

Perhaps, when she comes back to the House, the Minister will tell us what she is going to do to right the wrongs that have been happening in the mapping process. We have been told today that she is considering it and that she is going to do something about it, but just not now. The industry cannot wait; it is crying out for advance payments now.

We have heard about all the measures that the Minister has taken to deal with the crisis that we have faced over the past number of months. The Minister should be congratulated for those actions, but the farming community has been facing a crisis that began late last year and will continue into the early part of next year, given the most recent fodder prices. There will be a shortage of fodder, and the worst problem for the farming community later this year and early next year will be that they will not receive the money that they need to continue what they have been doing for so many years. They have faced severe pressures in the early part of this year.

Members who are involved in the farming community know that the current crop has been delayed for four weeks and that there is not going to be enough grass for next year. The farmers need to be in a financial position to continue their businesses into the future. One of the ways in which that can happen, given the problems and errors that have occurred in the past, is to make 70% to 80% of the advance payments to the farmers now, with no more excuses from the Minister. I support the motion and the amendment.

*Question, That the amendment be made, put and agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly recognises the concerns within the farming community regarding the issuing of inaccurate land parcel identification system maps; notes that many were still awaiting their altered maps days before the deadline of 15 May 2013 for their single farm payment application; understands the difficulties and pressures that this will cause to the applicants; further notes that Northern Ireland still remains exposed to disallowance if the rules of the scheme are broken; and calls on the Minister of Agriculture and Rural Development to tackle the problem of delayed payments by seeking permission from the European Commission to make advance payments, including proportionally smaller advance payments for farms selected for inspection.*

*Adjourned at 7.04 pm.*

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# Northern Ireland Assembly

Tuesday 11 June 2013

*The Assembly met at 10.30 am (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair).*

*Members observed two minutes' silence.*

## Speaker's Business

### Public Petition: Meningitis B Vaccine

**Mr Principal Deputy Speaker:** Mr Jim Wells has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes in which to speak on the subject.

**Mr Wells:** The Devine family from Strabane is here today and has presented me with its Time for Terri petition, which calls on the United Kingdom Government to introduce the new meningitis B vaccine. It is supported by representatives of the charity, Meningitis Research Foundation.

On 21 December 2008, Marie and Sean Devine tragically lost their daughter Terri at the tender age of 16 to the ruthless disease meningitis B. That was just days before Christmas and three days after Terri first complained of flu-like symptoms.

The Meningitis Research Foundation team in Belfast supported the family during that terrible time. Family members threw themselves into raising money for the charity, generating £60,000. The family also heard, through a Facebook page based in Cumbria, that names were being gathered for a petition to encourage the Government to introduce a vaccine for meningitis B, which is the condition that Terri had, and that the vaccine was waiting for a licence. The family has worked hard to gather signatures and is determined to put as much pressure as possible on decision-makers to have the vaccine introduced as part of the routine vaccination programme.

The family cannot bring Terri back but can help to save the lives of other children. The family have achieved an amazing level of support: 22,100 people have signed the Time for Terri petition, which calls for the introduction of the meningitis B vaccine as soon as possible to prevent more deaths and prevent children suffering serious after effects.

The Devine family know better than anyone how vitally important it is that our children are protected against all types of meningitis and septicaemia. Terri's sister Karen, her cousin Sarah-Jane Sweeney and Diane McConnell from the Meningitis Research Foundation travelled to 10 Downing Street last Thursday, accompanied by MPs Michelle Gildernew and Pat Doherty. They delivered a petition to the Prime Minister.

Meningitis and septicaemia affect around 3,600 people in the UK and Ireland annually. Meningitis B is responsible for the majority of cases of this disease in the British Isles.

The disease can strike anyone, at any time, at any age, killing one in 10 and leaving a quarter of survivors with life-altering effects, such as deafness, brain damage and loss of limbs. There is a newly licensed meningitis B vaccine. The Joint Committee on Vaccination and Immunisation (JCVI) is expected to make its recommendation on that tomorrow. The Meningitis Research Foundation was among the specialist organisations submitting data for consideration by the UK Government's JCVI, including the reported estimated lifetime cost for someone seriously disabled by meningitis B, which has been estimated to be as much as £3 million per patient.

At last there is an opportunity to dramatically reduce the devastating impact of meningitis B. The Devine family supports the Meningitis Research Foundation, and is urging the Government to introduce the new meningitis B vaccine as soon as possible. Any delay will mean unnecessary deaths and children growing up with disabilities and needlessly limited opportunities to reach their full potential.

Mr Principal Deputy Speaker, I now present the petition to you on behalf of the Devine family, hoping, as we all do, that we will be able to eradicate this terrible disease from our society.

*Mr Wells moved forward and laid the petition on the Table.*

**Mr Principal Deputy Speaker:** I will forward the petition to the Minister of Health, Social Services and Public Safety. I will also send a copy to the Chairperson of the Health Committee.

## Ministerial Statements

### Putting Pupils First: Reforming the Common Funding Scheme

**Mr O'Dowd (The Minister of Education):** Le do chead, a Phríomh-LeasCheann Comhairle, ba mhian liom ráiteas a dhéanamh ar an 'Athbhreithniú Neamhspleách ar an Scéim Chomónta Maoinithe' a foilsíodh ag deireadh mhí Eanáir agus breac-chuntas a thabhairt ar conas atá sé beartaithe agam rudaí a thabhairt chun tosaigh.

With your permission, I wish to make a statement on 'An Independent Review of the Common Funding Scheme', which was published at the end of January, and to outline how I intend to move forward.

Members will recall that I was not satisfied that the common funding scheme, which determines how funds are allocated to schools, was fit for purpose. I did not believe that the scheme adequately supported my key policy objectives, in particular raising standards, targeting social need and building a network of strong and sustainable schools.

Tá, agus beidh, m'fhócas ar thús áite a thabhairt do dhaltai i gcónaí. Cuireann seo taca faoi gach polasaí atá á chur i bhfeidhm agam agus gach cinneadh a dhéanaim mar Aire Oideachais.

My focus will always be on putting pupils first. That underpins every policy I am implementing and every decision I undertake as Education Minister. I therefore commissioned an independent panel, led by Sir Bob Salisbury, to examine this area and report back to me. I wish to thank Sir Bob, Evan Bates and Eemer Eivers for all their work on this review. I know that they engaged in extensive consultation and meetings as part of the exercise. Their report was published and placed on my Department's website at the end of January. Members will have had time to examine the report and the 29 wide-ranging recommendations it contains.

I specifically sought the Education Committee's views on the report and the recommendations contained within it. I want to thank the Committee for its detailed consideration of the report, the consultation with stakeholders that it undertook to inform its response and the response it provided to me. I encouraged consideration of the report by the strategic forum established by my Department. The forum facilitates engagement between education trade unions, senior staff in my Department and the education and library boards, and other arm's-length bodies that we sponsor. These views have helped to shape and inform my thinking on the way forward.

I have already outlined to the Assembly in earlier statements how I intend to drive up standards and to move forward on embedding area-based planning. This report on our common funding scheme and my response to it are about continuing and reinforcing that direction of travel. I want to make it clear that commissioning this review was not about saving money. It was about making better use of the funding that we have and using it to promote strong, vibrant schools that put pupils and their needs and aspirations first.

Following this statement, my Department will publish a revised common funding scheme for consultation in the next couple of weeks. The changes that it will contain will reflect the recommendations in the review report and

my response to those. While today's statement provides an opportunity for me to set out my position on the key recommendations, I am also publishing in more detail a formal response to each of the 29 recommendations that the independent review panel made in its report.

The independent review panel made a number of recommendations relating to how we allocate, monitor and account for funding. Those include recommendations to restrict the number of funded initiatives for schools, to review earmarked funding, and to ensure that, where earmarked or short-term funding is necessary, there is a clear exit strategy. I accept the recommendations in respect of limiting earmarked funds and maximising the amount of moneys that go directly to schools via the aggregated schools budget. That is what schools told the review panel they wanted. I will review the earmarked funds that currently go to schools and establish whether those could be added to the aggregated schools budget and delegated directly to schools. It will not be possible, or indeed appropriate, to remove every earmarked budget. However, I will ensure that those are all reviewed to test whether they need to remain.

In that context, it is important that I make clear my view that money delegated to schools should be spent on improving the outcomes for the children and young people at those schools. My Department already has in place limits for surpluses and deficits. Those recognise that schools need flexibility and provide for schools to accumulate modest deficits or surpluses of up to 5% of their total budget or £75,000, whichever is less. However, too many schools are outside those limits. Last year, 86 primary schools held surpluses in excess of £100,000; seven of those had surpluses in excess of £250,000. The review has recommended that there should be stronger financial challenge and intervention procedures for schools with excessive surpluses and deficits, similar to those that are in place for school improvement.

It cannot be good practice that some schools are sitting on what can only be described as large surpluses when the Assembly voted for that funding to be spent on educating the pupils who they have enrolled. It is even less tenable for schools in which educational outcomes are low to hoard surpluses that could be spent on improving those outcomes. Equally, schools are no different from any other publicly funded bodies in that they must live within the resources allocated to them and not run up deficits. When that happens, the money needed to cover those deficits has to be found from other parts of the education service; that, too, is not tenable.

The best education systems internationally combine a high level of autonomy for schools with a high level of accountability for schools. I am committed to allowing schools the flexibility and freedom to make decisions on how best to meet the educational needs of their pupils within their budgets. I am equally committed to ensuring that there is robust accountability for the outcomes that they achieve. In that context, the review also recommends that my Department should explore the practical implications of allowing any school to adopt the systems of financial management operated for voluntary grammar schools and grant-maintained integrated schools. Some schools have made it clear to me that they would welcome the freedom that they perceive comes with having their own bank accounts. Others have made equally clear their



view that that would be a burden that they do not wish to carry. I will accept the recommendation to explore that further. I intend to explore it once we have progressed the Education Bill and the Education and Skills Authority (ESA) has been established.

The independent review makes several recommendations that are designed to ensure that arrangements for funding schools support more effectively my Department's sustainable schools policy and the work on area planning. That has perhaps been the most challenging aspect of reforming our common funding scheme. The review panel's view is that the current means of funding small schools does not acknowledge the need to improve how we plan our schools estate on an area basis. The panel recommended that I remove all small schools factors from the current funding. However, it has to be recognised that strategically important small schools would, in that scenario, have to be supported by funding outside the new formula to deliver effective education for the pupils.

#### 10.45 am

I know that much concern has been expressed about that recommendation. Although I accept the recommendation in principle, I am not, however, implementing it at this time. Small schools should be reassured that those factors will not be removed from the common funding formula overnight. However, I do want to signal that, although small schools factors in the current formula will be retained for the 2014-15 financial year, schools and managing authorities should not rely on the continuation of the funding allocated via those factors in the longer term. As I have stated previously, all six sustainable schools criteria have to be taken into account when deciding the future of a school, and a budget inflated through the small schools factors is not the single deciding factor for sustainability. I reserve the capacity to make further adjustments to the funding formula, including the small schools factors, in future years to reflect and respond to progress on area planning.

The area-planning work that is under way aims to have the right schools of the right type and the right size in the right place. Those area plans may determine that there is a need for a small school, and I assure the Assembly that, when that is the case, small schools that have been identified as strategically important will receive the resources that they need to provide the best possible education for the children whom they serve. The difference from the current position is that those small schools will be planned and approved. They will not be there just because they have always been there but because they represent the best solution for young people in that area.

The panel also recommended the development of a small schools policy that identifies and safeguards strategically important small schools. I have no difficulty with the thinking behind that recommendation, but I do not believe that another policy is necessary. We already have a sustainable schools policy that sets out the criteria and quality indicators to help managing authorities to assess schools' sustainability. We already have an extensive area-based planning process under way, designed to ensure that schools are planned strategically to deliver sustainable, high-quality education. Within that existing policy, I will provide further clarification on the circumstances as to when a small school will need to be

retained and how it will be supported. My focus in moving forward that element of the reform will be to concentrate on implementing the policies that we have and ensuring that funding arrangements support those policies. I do not intend to introduce another policy that I do not believe is needed. What is needed are decisions.

Funding for our young people with special educational needs (SEN) is also covered by the report. The review, therefore, considers the pros and cons of funding our special schools via the funding formula. It also includes specific recommendations relating to funding to support pupils with special educational needs and funding for special schools.

There are challenges associated with adopting a formulaic approach to allocating funding for SEN support when that support is designed to reflect the individual needs of a pupil with special educational needs and will, therefore, vary from pupil to pupil. Quite sensibly, the independent review concluded that such funding does not, at this time, lend itself to allocation via a formula. I agree with that conclusion. However, I am conscious that leaders in our special schools want greater autonomy, greater delegation and greater flexibility to take decisions. From speaking to them, I know that they also accept the need for greater accountability.

I am, therefore, accepting the recommendation that consistent financial management information should be recorded for special schools to inform decisions and to plan spending. That is sensible practice and should already be happening. If it is not happening, I will expect the necessary steps to be put in place. The recommendation also calls for a specific review of special schools funding once the practice of setting down and reviewing consistent financial information has bedded in. I want to explore further with governors and school leaders in special schools what more might be done to ensure that the route by which they receive their funding does not impede their ability to make decisions that are best made at the school level.

A key focus of the independent panel's review was to examine how a revised funding formula would better support my determination to address educational underachievement and help to break the link between social disadvantage and low educational outcomes. Despite continued yearly improvement, the system still leads to disadvantaged pupils being only half as likely to achieve five GCSEs or equivalent at grades A\* to C, including in English and maths, as their more affluent counterparts, and that presents an educational, economic and political challenge that we, as legislators, cannot ignore and cannot allow to continue. I am pleased, therefore, that the review panel addressed that significant dimension of its remit with rigour. It recognised that pupils from socially deprived backgrounds have greater obstacles to overcome and that schools need to do more to assist them in breaking that linkage. It makes very clear, through the evidence-based recommendations, that more funding should be targeted at pupils from socially disadvantaged backgrounds.

The review also recognised that the issues that schools face in overcoming barriers created by social deprivation are significantly increased with increasing numbers of children from less affluent backgrounds. The panel, therefore, recommended that funding for socio-economic

deprivation should be weighted towards schools with significant concentrations of disadvantage to reflect the negative effects of such concentrations.

It will be no surprise to Members, therefore, to note that I accept and fully endorse these recommendations. Indeed, I intend to inject a further £10 million into school budgets next year, with that funding being allocated to help schools with the greatest concentrations of disadvantage to address underachievement among their disadvantaged pupils. Although this will be good news for many schools, I make it clear, however, that the extra money will need to be accounted for. To draw down that additional funding, schools will need to set out how they plan to use it to help pupils from disadvantaged backgrounds to achieve their full potential. They will have flexibility in identifying actions, but they will be held to account for the outcomes that they deliver.

I expect these interventions to link teaching and learning with the work that those schools undertake as extended schools and to involve outreach to parents and communities as well as direct support for the young people themselves. ESA will have a critical role to play in scrutinising schools' plans and in supporting schools in identifying suitable interventions to meet pupils' needs. The inspectorate will also ensure that, through the inspection process, there is an appropriate focus on the outcomes achieved for pupils with this funding.

Before I leave social deprivation funding, I ask Members to note that the review panel also made reference to the methodology that my Department uses to allocate this funding. I am pleased that the review recognised free school meals entitlement as the best available indicator of social disadvantage, but I am also content to accept the recommendation that this is something that should be kept under review. If a better measure emerges, it is only right that we should consider it.

The review also recommended that I consider adjusting the eligibility criteria for free school meals. It is important that I signal the complexity that proposed welfare reform introduces in that area. The proposed introduction of universal credit will, if agreed, require us to change the eligibility criteria for free school meals and, indeed, for assistance with the costs of school uniforms. I will shortly have to reach decisions on the trigger points for eligibility, and I will announce more detail on that at the appropriate time.

For now, I confirm that, whether eligibility is determined under the current or any new arrangements, it is my intention to apply the same eligibility criteria for free school meals both for primary and post-primary pupils from September 2014. That means that post-primary pupils from our lowest-income families will be supported with access to free school meals in the same way as our primary pupils. It also ensures that the post-primary schools that they attend will be supported in a similar way.

Balance of funding between primary schools and post-primary schools has also been an area of interest to the review, and there has been considerable interest in that issue. The review has recommended that that should be kept under review. I accept entirely the importance of early intervention, and I know that nursery and primary schools have long campaigned for more funding, making the point that they could deliver so much more with additional

funding. Primary schools have equally made it clear to me that additional funding for them should not be at the expense of post-primary schools.

All the evidence shows that our post-primary schools are facing real challenges at present. We know that they are seeing the impact of earlier demographic decline, which has stabilised at primary level, and that they are much more likely to be facing challenges in living within budget than their primary counterparts. We also know that, although our primary schools are outperforming those in most other countries, the same cannot be said about some of our post-primary schools.

When resources permit, I will consider the scope to increase primary school funding. I will not do that at the expense of post-primary schools. However, what I want to do in preparation for that time is to ensure that future Education Ministers have the levers that they need to target funding to primary schools. One of the drawbacks of our current formula is that its complexity inhibits our ability to do that. Therefore, I will be consulting with schools on a model that will see us operating two separate formulae: one for primary and nursery schools and one for post-primary schools.

Members and, of course, schools will want to know how all of that will affect the make-up of the common funding formula and funding for individual schools. The review panel set out very clearly the key principles that should underpin a new common funding scheme, and I have accepted those principles. The panel also urged me to consider implementation of a new funding formula made up of a range of elements with a clear focus on funding to reflect pupil rather than institutional needs and to provide support for young people — those from a disadvantaged background or who face other barriers — with the clear purpose of ensuring that schools are funded equitably, transparently and to reflect the needs of the pupils that they serve.

Work is well advanced on a new funding formula informed by the recommendations in the review report, and I intend to launch a consultation on it in the coming weeks.

The independent review of the common funding scheme provides us with a sound basis for making change that will improve how schools are funded and ensure that funding more closely supports my core policy priorities. Although I have not accepted every single recommendation, I have accepted the vast majority. My officials are currently finalising a model that reflects the position that I have outlined today. I remain determined that the changes will be made from next April. I therefore plan to issue details of the proposals in the next couple of weeks so that schools will have time to consider them. Although schools are not closed for the duration of the summer holidays, teachers and governors, like the rest of us, need a summer break, and I plan to extend the consultation period into October to give schools ample time to digest the proposals and provide views. I will, of course, want to hear views from other stakeholders also.

My officials will be happy to brief the Education Committee in more detail in the coming weeks, and I will arrange to place a copy of the consultation documentation in the Assembly Library for Members' consideration as soon as it is ready. Reform of how we fund our schools is needed

if they are to be able to deliver the outcomes for our young people that we need them to deliver.

Ba mhian liom na bealaí a fheicim le feabhasúcháin a dhéanamh a leagan amach. Níos tábhachtaí ná seo, ba mhaith liom na smaointe seo a thástáil le scoileanna agus le daoine eile le féachaint an bhfuil réitigh níos fearr ann ná na cinn a thiocfaimid suas leo.

I want to set out how I think improvements can be made. More importantly, I want to test those ideas with schools and others to explore whether there are better solutions than the ones that we will come up with.

Réitigh ar féidir leo freagairt níos fearr ar mo dhiongbháilteacht tús áite a thabhairt do dhaltáí.

There may be solutions that can more effectively respond to my determination to put pupils first. Go raibh míle maith agat.

**Mr Storey (The Chairperson of the Committee for Education):** The Education Committee has given the matter considerable time and consideration. The figures are significant, as the overall resource budget spent by schools or allocated by the Department is over £1 billion a year.

The formula under which funding is allocated, according to Sir Bob, is confusing and inconsistent. Therefore, the Education Committee recognises that simplification of the common funding formula is much needed. However, the Committee also recognises that it is difficult to assess the effect of any significant changes to the common funding formula scheme without sight of the full outworking of the Minister's proposals, and what we have today in the House is an appended statement and information detailing the Department's further work on each of the recommendations that Sir Bob made. The Education Committee therefore welcomes the Minister's assurance that it will be kept informed on the matters.

I think that the Committee will welcome elements of what the Minister said today, including the extension of the free school meals eligibility criteria to post-primary schools. That having been said, the Committee has concerns about a single measure of deprivation, which might not identify hard-to-reach groups and does not fit the usual definition of "deprivation".

#### 11.00 am

The Committee will be surprised that the Department has rejected out of hand recommendation 22, which would inform the development of alternative measures of deprivation. Maybe the Minister could elaborate on why he has dismissed that recommendation completely. We also welcome the Minister's intention to ensure that a bigger share of the budget goes to schools.

In conclusion, will the Minister clarify to the House today his definition of a strategically important small school and how that will be determined in light of his announcement today? Although reference was made to surpluses in some primary schools, I trust that this is not an attempt to rob the rich to pay the poor and is not a situation where, rather than social engineering to advance education, we have financial engineering, which will have a detrimental impact on schools across Northern Ireland, particularly in those areas where there is good financial management and good outcomes. Maybe the Minister could give some comfort to

those schools that have good sound financial management that today's statement is not an attack on them but is about trying to put in place a system that is fair — fair on the basis of educational need and not on any other criteria.

**Mr O'Dowd:** Thank you for your questions. I will try to cover them as best I can.

I accept the point that the Chair of the Committee made that the Committee cannot respond in full to the draft common funding scheme until it has seen the document, and that it will respond during the consultation. That is a fair point. I assure the Member that we are at the final stages of drafting that, and we will publish it as soon as possible to get feedback from the Committee.

The review recognised that free school meals entitlement was a good and sturdy measure. Other reviews have also recognised it as a competent way to measure the individual needs of a child. No one has come up with an alternative to date. If an alternative is brought forward, as the review team recommended, then I am more than happy to bring it forward.

Recommendation 22 states that:

*"Data should be gathered on maternal education for inclusion in pupil databases, and its efficacy modelled as a measure of additional educational need."*

That is not necessarily to do with social deprivation: it is an acknowledgement that the mother's education has a strong bearing on the child's outcomes. Although we accept that that research is accurate, gathering that information and research would place a greater burden on schools than the benefit it would have for education. We are saying that it is more important for us to tackle social deprivation and to fund schools to tackle social deprivation.

With regard to whether we are going to rob the rich to pay for the poor; if that has to be done, then we will do it. All the evidence points us to the fact that young people who come from socially deprived backgrounds face greater challenges in education than those who come from more affluent backgrounds. If the evidence points us in that direction, then we have to deal with it.

What I have done and the way in which I am setting out the common funding formula ensures that all schools are treated fairly and equally. Those schools that have greater needs are funded to provide for the young people under their care. The Member often refers to social engineering. Social engineering already exists in our education system, and it is called academic selection. It ensures that the vast majority of children from socially deprived backgrounds go to one school and those from less socially deprived backgrounds go to another. If the Member is opposed to social engineering, I am on the same page as him. Let us resolve that issue.

**Mr Principal Deputy Speaker:** I call Mr Chris Hazzard. Sorry, just before that, and bearing in mind yesterday's experience, there is quite an interest in the topic, and I want to be fair to all Members. Members should be aware that it is questions on the statement and that it is one question only per Member.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the Minister's statement. It is a clear signal that the Minister is prepared and is engaging in

rebalancing the distribution of resources in our education system in the interests of the aspirations and needs of our pupils and not the interests of the institutions that they might attend. In that light, the panel made it very clear that we should be increasing funding for pupils from socially deprived areas. The Minister signalled today —

**Mr Principal Deputy Speaker:** I need a question.

**Mr Hazzard:** — an investment of £10 million into the school budgets next year. Will he outline whether he will be investing further in targeting social need (TSN) in the year ahead?

**Mr O'Dowd:** I thank the Member for his question. I estimate that it will cost approximately £30 million over the next two financial years to meet the additional funding in the formula for targeting social need and to allow pupils attending post-primary schools to be eligible for free school meals and free school uniforms. I think that is money well spent.

The Member and the House will be aware that, earlier this year, I restructured my budget. In particular, I targeted a significant pot of money that had been set aside for redundancies. I set £20 million of that pot aside to deal with the outworkings of the common funding formula, and I am going to use that pot and other slippage moneys in my Department to fund some of those programmes. That £30 million is an investment in the future of the young people concerned and, therefore, an investment in our society.

**Mr Rogers:** I thank the Minister for his statement. I welcome the news that he is going to maximise the amount of funding that comes through the aggregated schools budget. In respect of earmarked funding, will the Minister clarify the premium for shared education?

**Mr O'Dowd:** I am studying the recommendations in the shared education report to see whether there is any crossover between it and the common funding formula review. We fund schools to carry out a range of activities, including shared education, through the common funding formula. Schools are funded for those sorts of activities outside their regular responsibilities: extracurricular activities, if you want to put it that way. Funding is available to schools to carry out work within various models, but we are talking to other funding bodies to see how we can ensure that the recommendations in the shared education report are funded as well.

**Mr Kinahan:** I thank the Minister for his statement. I welcome much in the statement, especially the fact that he is going to keep the Committee briefed and that he is proposing no change at the moment in funding for small schools. In addressing recommendation 3, he indicates that he is going to look at the financial management in voluntary schools. Why is he continually attacking voluntary schools when he is using an extremely good example of how well they work? Why does he not look at adopting the other things that voluntary schools do extremely well? That would speed things along.

**Mr O'Dowd:** I do not accept that I am continually attacking voluntary schools. I attack the social engineering that takes place in some of our voluntary schools in respect of how they allow pupils access. One of the findings of the common funding formula review under Sir Bob Salisbury is that, when you have a significant number of pupils from a socially deprived background in a large concentration in one school, it is a disadvantage to those schools. We

are now having to address that by using public funds to counteract the effects of academic selection in our system. That is something that you need to consider. There is a better way of doing this. A social mix of pupils across our schools is more internationally recognised as the best way of dealing with the effects of social deprivation. We are having to address the imbalance here with funding.

I want to explore the voluntary principle further. Voluntary schools hold the principle very dear, and it is one of the issues that they are raising in relation to the ESA report. A number of non-voluntary schools have made it clear that they would like to adopt the voluntary principle. I am willing to explore that with them further, and if we can come to an agreement on the way forward, I will be happy to introduce it for other schools, but there are pros and cons. It places a significant administrative burden on a school, and services provided centrally by the boards or by ESA will have to be adopted by the school. That will take finance away from educating young people because the schools will have to fund their financial management themselves. However, I am happy to explore the issue further and allow schools to make the final decision on whether or not they want to become voluntary.

**Mr Lunn:** I also welcome the Minister's statement. My question follows on from Mr Kinahan's. The Minister's comments about the possibility of allowing other schools to adopt the financial management model currently used by voluntary grammar schools seems to come with the caveat that it is conditional on the Education Bill and ESA being established. That is not the only reference in the statement to that condition. How vital does the Minister regard it that the ESA Bill is progressed with all speed, and will it be possible to make those changes if the ESA Bill does not go ahead, as some of us fear?

**Mr O'Dowd:** I am of the mind at the moment that it is not a case of if ESA will happen but when ESA will happen. We had protracted discussions on the ESA Bill for many years when I was on the Education Committee with the Member. I would have liked to see it progress much quicker than it has, but I am not concerned that ESA will not happen. It is a case of when ESA will happen.

ESA is very important because it will ensure that we have an effective, efficient and modern management structure that can deal with many of the issues facing education. The recommendations in Sir Bob Salisbury's report will move forward. I am of the view that they will move forward with ESA, so I am not overly concerned or in the frame of mind that ESA is not happening; it is when ESA happens. If there is a significant delay, we will continue to move those recommendations forward anyway.

**Miss M McIlveen:** The Minister states that he is going to reserve the capacity to make further adjustments to the funding formula, including the small schools factor. Will he consult at a later date on those adjustments, or will he be consulting on the reservation that he is proposing within the scheme to publish shortly? He went on to say that he will give an assurance to the Assembly around small schools, but I am not sure that the Assembly can take comfort from a verbal statement at this stage.

**Mr O'Dowd:** Well, all I can give you is a verbal statement at this stage. Of course I will consult if there are to be further changes to small schools funding. I am legally obliged to do so. Any changes to the common funding

formula have to be consulted on, so if we move towards a stage where it is believed that there have to be changes to small schools funding then, yes, there will be further consultation.

**Ms Boyle:** I thank the Minister for his statement. It is a good news story for many schools. Schools will now have to do a particular piece of work in relation to accountability and how they use that extra funding. I particularly welcome the news on free school meals eligibility. As a member of the Education Committee who contributed to some of the views in the recommendations, I am delighted that the Department has greatly looked at and accepted recommendation 11. However, can the Minister be more specific on when his Department will review transport policy, and is that likely to happen in 2013?

**Mr O'Dowd:** I thank the Member for her question. The Member has raised transport issues with me on several occasions, specifically in and around Strabane and the rural hinterlands of Strabane. Yes, I want to see the review take place in 2013. I am trying to identify appropriate individuals to carry out that review. It is a specialised piece of work. With my departmental officials, I am trying to identify the appropriate candidates to move that forward.

**Mr Craig:** I read with interest in your statement, Minister, that you will ensure that schools are planned strategically and are sustainable. You also said that you will have further clarification on how a small school will be retained. With regard to both those statements, will the Minister please give the House an assurance that strategic planning will be done on a cross-education board basis, as I have witnessed in border areas of boards the strategic aspect of the planning fall apart? More importantly, when will he give us that clarification?

**Mr O'Dowd:** Cross-border planning — cross-board planning — was raised recently by your colleague Mr Spratt during a debate on schools in south and east Belfast, and the crossover between the Belfast Education and Library Board and the South Eastern Education and Library Board. I am of the view that it is much improved. Indeed, we have brought the boards and other planning authorities together to continue area planning and to ensure greater co-ordination and co-operation, so I am satisfied that that is much improved. Of course, I will continue to monitor the situation to ensure that it continues to improve.

#### 11.15 am

In relation to clarification around when a small school is required, the sustainable schools policy sets out the criteria; it sets out travel distances, etc, in relation to small schools. I will provide further clarification to the Committee, with regard to my statement, on the strategic importance of small schools as we move forward, but it will be based on the current sustainable schools policy.

**Mr McMullan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I congratulate the Minister on his statement this morning; it is a very exciting statement. Minister, leaders in our special schools are looking to have greater autonomy. What can we put in place for those leaders in special schools so that they will accept greater accountability, which will allow them to achieve that greater autonomy?

**Mr O'Dowd:** The report sets out the need for greater clarity on how the funding in special educational needs

schools is delegated, etc. I think we need to go through those measures first, and, in parallel with that, I will have discussions with the leaders in our special schools.

Indeed, I recently met a delegation of leaders from our special schools. We covered a wide range of areas in our discussions, including financial autonomy for those schools. They are keen to take on more responsibility, and I believe that they have the skills base to do so. However, let us cover the first measures of the report about detailing exactly what funding goes into special schools and how it is used and, then, move forward as to how we fund those schools in the future and how that finance is governed, particularly by boards of governors, principals and leaders.

**Mr Byrne:** Will the Minister state whether a rural school's criterion, as well as TSN, will be included in the common funding formula? Does the Minister recognise that the criterion for 105 pupils is already killing the potential viability of many small rural schools?

**Mr O'Dowd:** The small schools formula, which covers many of our rural schools, will remain as part of the common funding formula, and it is a significant contribution. Tens of millions of pounds of additional funding are going into the common funding formula to cover small schools, including small schools in urban areas. It is worth noting that the definition of "rural" in the sustainable schools policy is everything outside Derry City Council area and Belfast City Council area, so we cover a very significant geographical area. I do not accept that the criterion of 105 pupils is killing off our rural schools. There are many, many rural schools with 105 or more, and many have fewer than 105. None of them will be judged simply on that number. The only person I am aware of who is fixated with that number is your good self.

**Mrs Overend:** I thank the Minister for his statement. I note the Department's response to recommendation 11, which relates to transport policy, is that the Minister will advance a review of its provision and eligibility. I very much welcome that; indeed, two years ago, the Ulster Unionist Party passed a motion calling on him to do that. Will he give a commitment that that review of home-to-school transport will be primarily driven to make it fairer and to allow it to adopt a more common-sense approach, rather than solely to deliver savings?

**Mr O'Dowd:** The transport budget in our Department is currently around £70 million. A significant proportion of our budget goes towards transport. During the previous Administration, the then Education Minister, Caitríona Ruane, and the Finance Minister, Mr Sammy Wilson, agreed that the performance and efficiency delivery unit (PEDU) should review transport across the boards. PEDU has since brought forward a report covering how transport could be provided more efficiently across the five education boards. We are agreeing an action plan as to how we implement those recommendations. So, I can stand and say that we should not approach it simply on the basis of saving money. If there is money to be saved and used more effectively in transport or in other parts of the Department of Education, I think it is only right and proper that we should do that.

You mentioned a fairer and more common-sense approach. Yes, of course, I want to see a fairer and more equal distribution of resources across our society, and I want to ensure that our transport system is delivering a service that we can stand over. The review will cover

all those aspects in relation to how transport is provided currently and how more effectively, more efficiently and more equitably it should be provided in the future.

**Mr Spratt:** In relation to recommendation 11, does the Minister propose to limit the availability of bus passes to children and, as a result, force them to go to their nearest school?

**Mr O'Dowd:** The terms of reference of the transport review have not yet been completed. I will ask the review to make a holistic examination of the transport policy and how we effectively and efficiently use more than £70 million of public money. How can the Member argue against that? If a pupil can travel to a good school nearby, why would we transport them 30 or 40 miles to another good school? Let us provide good services to our communities close to hand, rather than having to transport people 30 or 40 miles to other good schools.

**Mr Dallat:** I thank the Minister for his statement. I note from it that he tells us that, in future, small schools will be planned and approved. Of course, many of our existing small schools were not planned or approved in that sense. Is this the death knell for those schools? Is it the end of the pretence that the Minister is committed to the retention of small schools that have served their communities diligently for many years?

**Mr O'Dowd:** I have to say that the SDLP is not involved in an education debate on small schools; it is involved in a political campaign on small schools. The SDLP has yet to point out to me where the sustainable schools policy is wrong or how it would improve that policy. It has come out with various statements on how it would keep every school open and how it believes that all rural schools, regardless of their educational provision and outcomes, should be kept open. If it is seriously interested in sustaining viable rural communities, it needs to start by providing excellent rural education to the young people who live in those communities. Surely, it should insist that rural communities have access to good education in the same way as we would expect an urban setting to have good access to education. If the SDLP has an alternative policy, I am still waiting to see it.

**Mr Allister:** I declare an interest as the chairman of the board of governors of a primary school. Why does the Minister wish to discriminate further in funding against schools that, through no fault of their own, have fewer pupils who get free school meals, yet have the same overheads and needs as other schools? The Minister wants to provide them with less funding than neighbouring schools. Why does he want to discriminate against those schools?

**Mr O'Dowd:** I do not accept the term "discriminate". I know that the Member is an expert on the subject, but I do not accept that term.

Schools will continue to be funded to meet their needs. We are saying — international evidence points to this — that children from a socially deprived background face greater barriers to education. Therefore, their educational outcomes are lesser. I am sure that the Member would agree that if we can tackle the issues that face socially deprived young people at a very early age, society benefits in the long run because those young people go on to be valuable members of society and have more chance of getting employment and contributing to society and less chance of ending up in the justice system and costing

society further in the future. Let us put the investment in at the start to ensure that those young people have a good start in life and move on from there.

I do not accept that schools will not be funded in the future. Of course, since coming into post, I have constantly argued that the education budget, in its universal capacity, is severely underfunded. Let us use the funds that we have to best of our ability. If more funding becomes available, I will distribute it across all our schools.

**Mrs D Kelly:** I note that, in the report, the Minister — or, at least, the authors — acknowledge the fact that the mother is still the children's best teacher. My question follows on from free school meals as an indicator. I think that it is recommendation 20 that states that there will be further examination of other factors that might well be taken into account. I am sure that the Minister will be aware that many people who find themselves described as the working poor have an income that is maybe 1p above the level for eligibility. How will this be taken forward, and when might he reach a conclusion on the analysis?

**Mr O'Dowd:** Your original comment about the mother being a very important element in a child's education is clearly true. Mothers play a very important role in children's development, and we would never attempt to take that away from them.

In relation to free school meals entitlement, my predecessor Caitríona Ruane expanded eligibility for free school meals and, I have to say, met some resistance to that. We have further expanded that. As a result of my announcement today, something in the region of 15,000 more pupils in post-primary schools will be entitled to free school meals than would have been the case had I remained with the status quo.

As regards how we catch more people within the free school meals entitlement, welfare reform or the attempts to introduce it have stymied a lot of development in a number of programmes that I want to do in the Department of Education. I want to look at the entry criteria for nursery school places, in terms of benefits and income brackets and free school meals, but let us wait to see what happens with welfare reform. If welfare reform is introduced, I will have to introduce a new policy on the eligibility criteria for free school meals. My starting point for that will be to ensure that anyone currently eligible for free school meals remains eligible, and I will look to see whether we can expand that.

**Mr D McIlveen:** Minister, notwithstanding the fact that the duration of the consultation falls between July and August, when, I think, most people in the teaching profession will take a much-earned rest, the entire duration of this consultation is comparable to the length of the consultation on the High Hedges Act. Does the Minister see the high hedges of Northern Ireland as being on an equal footing with the future of education?

**Mr O'Dowd:** I think that there is a statutory limit to consultations. The limit is eight weeks, and the maximum is 12 weeks; it is somewhere in and around those figures. Government cannot shut down for two months every summer, much as I, and perhaps people here, would like it to. I cannot stop the Department of Education for two months every summer and await the schools returning. We have to continue policy development and implementation. The consultation is going out over the summer months, but

it does not end until October. That gives ample time for any school or individual who wishes to respond to do so. There is no comparison with high hedges, low hedges or any other sort of hedge.

## **Northern Health and Social Care Trust: Turnaround and Support Team Report**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Principal Deputy Speaker, I wish to make a statement to the Assembly on the report of the turnaround and support team on the Northern Health and Social Care Trust.

As Members will recall, I made a written statement to the House on 10 December 2012 on the appointment of a small turnaround and support team to the Northern Health and Social Care Trust to complete a strategic overview to establish what changes and support might be required to accelerate progress at the trust. The team was asked to provide an assessment of the changes required to improve performance and to support the management of the trust in the delivery of services.

As I highlighted in my statement in December, the trust has faced challenges since its establishment in April 2007. Despite the support measures that were put in place previously to assist the trust, there were no signs of sufficient improvement in waiting times in the trust's emergency departments. It was in light of those concerns and following a request from the chief executive of the Northern Trust for further support to address those issues that the decision was taken to appoint the turnaround and support team. Under its terms of reference, the team was asked to take forward the work in two phases, with phase 1 focusing on the analysis of the challenges facing the trust and its ability to deliver on services commissioned and phase 2 focusing on turnaround and support in light of the findings of phase 1.

I have now received the report from the turnaround team detailing the findings of phase 1 of the review. The report addresses the terms of reference comprehensively, and I am very grateful to Sue Page and her team for the significant work in taking this forward. I will make the report publicly available on the Department's website today.

### **11.30 am**

In line with the terms of reference for phase 1, the review included an analysis and assessment of the challenges faced by the trust and its ability to deliver on the services commissioned, taking account of previous reviews and their implementation and drawing on information about similar providers elsewhere. Given the need to reduce waiting times for unscheduled care, the review examined performance, including the quality and safety of services and outcomes and patient experience at the trust's emergency departments, and identified specific areas and aspects of the trust's work and its relationships with other providers of health and social care where improvement is required. The report provides the team's assessment of leadership capacity at the trust and the changes necessary to improve performance.

The report makes five distinct recommendations. Those are to enhance leadership capacity at the trust and empower clinicians to lead change; to ensure support to deliver an improvement plan in three phases; to gain assurances that governance and quality systems are robust; to gain assurance that mortality data is robust; and to put in place a performance framework that will ensure delivery of the improvement plan and contains

clear consequences for non-delivery alongside incentives for delivery.

The review has taken a hands-on approach, with practical engagement between the turnaround team and Northern Trust staff at individual and group level with front line staff and managers. It also involves visits to other healthcare providers to observe alternative ways of working. Throughout the review, the team not only focused on issues that were impediments to improving performance but considered the existing capacity for improvement and opportunities to develop new capacity for improvement in the trust.

The overall analysis, however, has identified that the Northern Health and Social Care Trust is in a poor position and requires intensive support to improve. It is reassuring to note that the team concluded that the trust can be turned around. That is essential to improve patient care and experience at the trust. However, support needs to be provided to enable it to do so.

Members will be aware that I announced the appointment of two senior directors to the Northern Trust on 2 May. The appointments were made, in light of the emerging findings of the turnaround team at that time, to lead on the next stages of the turnaround process to improve critical areas of service delivery. Mary Hinds and Paul Cummings joined the trust on temporary secondment from the Public Health Agency (PHA) and the Health and Social Care Board (HSCB) respectively on 13 May. As senior director of turnaround, Mary Hinds will lead the improvement programme in the Antrim and Causeway hospitals and the related community services. In his role as senior director of corporate management, Paul Cummings will oversee the remaining service directorates and the corporate management functions. A new acting medical director is now in place, and two middle management staff have also been seconded to the trust from the Health and Social Care Board and the Public Health Agency. These appointments are the first steps in the change as part of the intensive support programme that will be provided to the trust to ensure that the necessary turnaround is achieved. The overriding objective is that the interests of and outcomes for patient care are at the centre of trust activity.

Specifically, the report recommends a three-phased improvement plan. Phase 1 has three separate components covering the operational delivery of services at Antrim Area Hospital; operational delivery of services at the Causeway Hospital; and maximising primary and community care and older people's services. Phase 2 will involve developing clinical networks and integrating clinical teams with devolved accountability. The outcome for phase 2 should be that clinical services become fully integrated and aligned to populations, with an accountability framework in place to manage resources and agree priorities for service review. Phase 3 will involve a systematic programme of service reviews to implement Transforming Your Care (TYC). The outcome for phase 3 should be the systematic delivery of the changes needed in line with the strategic objectives of TYC.

Initially, the key element of the work will be the delivery of phase 1 of the improvement plan. It is anticipated that this phase will be completed within six months. The Department will put in place governance arrangements to monitor progress against the plan. In that regard, it

will work closely with the HSCB. It is important that the arrangements are effective but do not introduce an overly bureaucratic system that would impede progress.

The report signals the need to remove any sense of uncertainty about the Causeway Hospital's future management arrangements. I am very keen to remove that uncertainty. I told the House on 19 March that the TYC consultation had indicated significant support for the action set out in the 'Vision to Action' document. I confirmed that I was asking officials to begin work to take forward an options appraisal that would consider future management arrangements for the Causeway Hospital, such as whether it should remain in the Northern Trust or transfer in the near future to the Western Trust. Preparatory work on the options appraisal has begun.

I believe that the implementation of the turnaround team's recommendations will provide a solid basis to deliver the much-needed improvement at the Northern Trust. The learning will be shared across Northern Ireland. I do not underestimate the scale of the task involved. Members, trust staff and the public will want to consider carefully the team's report, which has been released today. The overriding consideration is the need to put the quality of patient care at the top of our priorities for Health and Social Care. I am determined, therefore, that improvements will be made at the trust. That is in the interests not just of patients but of the staff who work there. I recognise that turnaround will not happen overnight, although there are already some signs of improvement at the Antrim and Causeway hospitals. That is to be welcomed.

I stated previously my appreciation for the professionalism and continuing dedication of the doctors, nurses and other front line staff at the trust who want to provide safe, high-quality services to their patients and clients. Clinicians must be at the centre of the improvement process. I also recognise the commitment and determination shown by the previous and new management teams, and I want the Department, HSCB and PHA to work with the leadership in the trust to ensure that the actions that are now taken are fully effective in securing change. I am encouraged that the trust will follow a path that is clinically led and managerially supported. It is essential that the processes now under way are successful in delivering the much-needed improvements for the local community.

I commend the statement to the House.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement and his officials for the briefing that the Deputy Chair and I received earlier.

Minister, you say in the report that clinicians have been disengaged, and you talked about empowering the clinicians to lead change. Does that mean that, up to this point, clinicians have been disengaged? If so, what do you mean by that? Moreover, what do you mean by empowering clinicians? I want to try to get some more detail on that.

Mortality data came up in the recommendations. Are you indicating that there have been doubts about how those data were collated? If so, what impact did that have? What does it mean for the future? The review team focused on impediments to improving performance. Can you give us more detail of what that actually means? Are we now over



those impediments so that we can deliver the best possible care for patients?

Finally, senior staff have been seconded from the Public Health Agency and the board, including Mary Hinds and Paul Cummings. Can you give us an indication of how long they will be seconded to deliver and take forward this work in the Northern Trust?

**Mr Poots:** I will seek to answer all four questions. Where disengagement and empowerment are concerned, I think that communication is essential in any task. People can be absolutely brilliant at a range of activities in their particular job, but, if the communication skills are not good, that is not helpful to others. So, it is important that good communication exists throughout if we are to ensure that people are engaged. The left hand needs to know what the right hand is doing. All that will create the situation in which empowerment can happen, where there are greater levels of communication and closer working co-operation. I think that we can achieve more in that area.

There are multiple ways of calculating mortality, and the method that the Northern Trust uses does not give us any particular concern. However, to be absolutely certain, the report suggests running another methodology, such as that used by the Dr Foster organisation, to provide maximum assurance. We are not saying that there is any risk there, but we do want to double up to ensure that we have that assurance.

On the impediments that might have been in our way, I think that leadership is critically important. Leaders have to be very proactive. They have to be on the ground talking and listening to key people, delivering the services in conjunction with those people and identifying what the needs are. There are great opportunities to ensure that we make the improvements that we want to see.

On the secondments, how long is a piece of string? It is important that we get this thing to work. It may take up to a year or somewhat longer, but, at the moment, we are perhaps looking at the secondments lasting up to a year. It could be less than that. We will see how we get on over the next couple of months and how things are improving before we move to make permanent appointments.

**Mr Wells:** I thank the Minister for his statement. Will he let the Assembly know whether any other changes are anticipated among the senior management team in Antrim Area Hospital?

**Mr Poots:** The medical director's position will be advertised and filled. That is a very important position. We need strong leadership in that area to ensure that clinicians have the confidence that management is listening and so that management can ensure that clinicians respond to their needs.

One of the issues identified in the Northern Trust area was that, very often, senior consultants were allowed to take holidays at the same time, and things like that. That created problems unnecessarily. There are areas that we perhaps need to change, address and carry out improvements in. So, the medical director's post is one of the key positions that will be filled over the next number of months.

**Mrs D Kelly:** I welcome the Minister's statement. I particularly acknowledge his comments on behalf of the

hundreds of staff who provide an excellent service in the Northern Trust. It is important to put that on record.

Will the Minister tell us what monitoring and evaluation techniques will be used to ensure the delivery of the report's recommendations? What is the time frame for achieving the same?

**Mr Poots:** I want the time frame for the delivery of some of the recommendations to be almost immediate. I want to see improvement at a very early point, and we are looking at that. In the longer term, we are looking for the phase 1 improvements to be completed within six months. To reiterate what "phase 1" means, it covers the operational delivery of services at Antrim Area Hospital and the Causeway Hospital, as well as maximising primary and community care and older people's services. That is a big task to have completed within six months.

On the governance arrangements, an improvement oversight group will be established and will be chaired by the Department. Initially, that group will meet monthly and, depending on progress, may move to meeting less frequently.

We need to ensure that we have appropriate monitoring without being overly bureaucratic and constantly bearing down on the people who have the task of carrying out the job. There will always be a degree of flexibility in all these issues, but it is very important that we keep our eye on the ball to ensure that the trust improves. For quite a number of years, the same problems have come up time and again in the same trust. We really need to get on top of those problems and move forward.

**11.45 am**

**Mr Gardiner:** I certainly welcome the Minister's statement and I encourage moving as quickly as possible. I wish him every success in looking after affairs in this. I do not think that I was really down for being called at this stage, Mr Principal Deputy Speaker. I think that it was more my colleague here, who is the spokesperson for our party on that score, but well done, Minister.

**Mr McCarthy:** I offer my best wishes to the Minister in the task that he has set out before us this morning. I think that it is the last-chance saloon for the Northern Trust, but I wish the Minister, Mary, Paul and everyone else every success in their endeavours. I refer the Minister to his reference in the statement to the trust's:

*"ability to deliver on the services commissioned taking account of previous reviews, and ... information about similar providers elsewhere."*

The Minister will be aware that the Northern Trust has not signed its service and budget agreement with the board for the last four years. Those agreements detail the work that is required by the board —

**Mr Principal Deputy Speaker:** We need a question. The Member knows that one —

**Mr McCarthy:** Yes. Will the Minister tell the Assembly why the Northern Trust has not signed these important contracts for four years? How can the board monitor the services commissioned if the contract has not been signed? Could this horrendous neglect by all concerned —  
[Interruption.]

**Mr Principal Deputy Speaker:** OK, gents —

**Mr McCarthy:** — have contributed to the disaster that is the Northern Trust?

**Mr Principal Deputy Speaker:** The Member is abusing the rights of other Members to ask questions.

**Mr Poots:** I thank the Member for his question. Given that the new financial director and acting chief executive in the service is a former financial director in the board, I trust that those issues will be overcome as a result of that appointment.

**Mr Dunne:** I thank the Minister for his statement. Will he elaborate on why the Department is only now taking action to address emergency department waiting times in the Northern Trust?

**Mr Poots:** A series of actions has been taken to assist in the Northern Trust, and that work is ongoing. The problem was that we did not see the improvement in performance that we should have. We have had previous reports that I do not believe were fully implemented. Consequently, we have not benefited from the work that was carried out. We have a team in place now that is already making a difference in the Northern Trust. The turnaround team has done a good piece of work. It has worked closely with the Department and with people on the ground to identify the issues and problems that existed there.

My view, unlike that of the former chairman of the trust who said that we could not do better, is that the public have to get better; they deserve better, we have to do better and we will do better. That is why we are continuing to make differences here and to challenge and change. We will get there with the Northern Trust, albeit that the situation has been difficult for many years. Even before this trust was formed, the organisations that came together had their problems, and a lot of those problems came with those organisations. The Northern Trust has always had a difficult time. We need to get to the point where the Northern Trust is not being talked about for the wrong reasons but for the many good things that are already happening in it and can be enhanced further. I commend all those staff who are doing excellent work in the facility.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas sin. I thank the Minister for his statement, in which he refers to the sense of uncertainty that exists about the Causeway Hospital. That uncertainty continues. I accept that preparatory work on an options appraisal has begun, but when will it be completed? What is its time frame and when will decisions be made?

**Mr Poots:** I fully accept that, while discussion continues, it will create uncertainty, so the sooner we can reach a conclusion, the better. However, we have to operate within legal parameters, so an options appraisal will be produced, hopefully in the not-too-distant future, which will go to public consultation. We will not go into it with preconceived notions because, at this point, I am not fully convinced that there should be a shift in the Causeway Hospital from the Northern Trust to the Western Trust. I see that there are strong and compelling reasons why that could happen, but there are also very strong reasons why it should remain in the Northern Trust.

We need to identify all the issues, consult the public and the clinical nursing staff, etc, within the Causeway

Hospital, identify whether social services are to go with it or are to stay with the Northern Trust, and identify whether it is more suitable for the Causeway Hospital to stay with the Northern Trust. All of that needs to be tested very thoroughly, bearing in mind that we also need to remove uncertainty. We will proceed with that work in due course, but as quickly as possible.

**Ms Brown:** I welcome the positive statement from the Minister and the continued efforts to improve matters in the Northern Trust. This is obviously a great cause of concern for all of us, not least my constituents in South Antrim. Will the Minister reiterate the main conclusions in the turnaround team's report?

**Mr Poots:** The main conclusions were really the five recommendations that I mentioned, the first of which was that we need to enhance the leadership capacity at the trust and empower clinicians to lead change. I believe that that is already happening. We need to ensure support to deliver an improvement plan in three phases, and that work is under way. We need to gain assurance that governance and quality systems are robust, and that is also happening as we speak. We need to gain assurance that the mortality data is robust, and we are looking at a different means of collecting that data that will, all being well, confirm that that data is robust. Finally, we need to put in place a performance framework that will ensure delivery of the improvement plan and contain clear consequences for non-delivery, alongside incentives for delivery. The overall monitoring team is in place, so things are moving quite quickly. I think that it is appropriate that we do move quickly to ensure that the team's recommendations are enacted.

**Ms P Bradley:** I also welcome the Minister's statement. As someone who worked for the Northern Trust, it is very bad to hear such negativity in this Chamber, especially the remarks about a last-chance saloon. I know that the staff at every level are working very hard on a daily basis, and they need our support and help. Will the Minister provide an update on the improvement action group for emergency departments?

**Mr Poots:** We are already seeing improvement in the emergency departments. However, it is early days and we do not want to introduce anything that appears to be at all complacent. For example, in April, there were 466 breaches in the 12-hour waiting times —

**Mr McCarthy:** Shame.

**Mr Poots:** I agree with the Member that that is a shame, and that is why we are acting. In May, that was reduced to 82. In June, there have been six breaches to date. That is still six breaches too many, but one can see the direction of travel and that improvements have been made quickly.

We held a workshop with trust staff and GPs, and have had a series of discussions with front line staff, who agreed a detailed action plan to address the fix phase of the turnaround team report. That is being developed. We have commenced discussions at the speciality level to identify and remove barriers to improving performance and to match medical staff capacity with patient demand, thus improving patient flows. We have commenced a capacity exercise that will better inform discussions with commissioners about future resource allocation. We have commenced a review of all systems associated with quality and safety, including a further analysis of key

clinical indicators. We have developed a direct link from community to support inreach and the management of frail elderly people and to simplify and standardise access to community services.

We have also established a joint partnership forum to bring our local GPs and trust clinical and professional leaders together. The first meeting has already been held, and regular meetings will follow. The aim is to strengthen the clinical voice in the design and delivery of services to create that environment where clinical staff lead services, supported by responsive management. It also aims to strengthen the day-to-day management of processes, including the development of daily performance metrics, which the senior team use to support daily management. That has already helped in terms of patient flows.

The improvement action group, which was established by the Health and Social Care Board, working with the Public Health Agency, in April 2012, will address excessive waiting times across the region with the aim of securing a step-change improvement in 12-hour and four-hour performance and in the patient experience. It was originally set up for a three-month period but the board extended its existence so that it could help emergency care services through the winter, when unscheduled care came under the greatest pressure.

Following the secondment of key members of the emergency department (ED) action group to the Northern Trust, the board is moving to a new phase of work to address ED performance which will focus on the completion of regional demand and the capacity work by the end of July, fortnightly performance meetings with trusts and a renewed focus on the key actions to improve the unscheduled care patient pathway.

**Mr Storey:** I thank the Minister for his statement. Will he outline what signs of improvement he can identify already — he has mentioned some of them — in the Northern Trust? In particular, can he comment on whether the Northern Trust has made any progress on the issue of the employment of consultants, particularly at the Causeway Hospital?

**Mr Poots:** The teams and the work processes have been established. This is not purely about the emergency department at Antrim Area Hospital; it is about the Northern Trust. It is critically important to ensure that this is not just about a single issue; there must be comprehensive and wholesale improvement across the trust.

The Member has raised an issue about the consultant base at the Causeway Hospital. The course of work that has been identified will look at matching medical capacity to patient demand. We are looking at how we can do the other capacity exercise so that we can better inform our discussions with commissioners. That will enable us to have the appropriate support for the Causeway Hospital and its consultants, and to have the appropriate number of consultants at that facility over a range of services.

It is incredibly important — just to put it on record again — that the Causeway Hospital has a very strong future. It is absolutely necessary in order to provide quality services to the public in that area. We will give due attention to ensuring that we can continue to provide quality services in that part of Northern Ireland.

**Mr Lunn:** I want to follow on from Mr McCarthy's question. The Minister's answer appeared to be that the financial director of the Northern Trust had been moved on, so that was the problem solved. However, the Belfast Trust, for instance, has not signed its service and budget agreement for the past four years either. The South Eastern Trust has not done so for the past two years and the Southern and Western trusts did not sign theirs in 2011. So, how important are these agreements? There seems to be a slightly cavalier attitude to them, yet we are talking about sums, in the Belfast Trust, for example, of upwards of £900 million each year.

**Mr Poots:** The commissioners also have a significant role in all this. They commission services and the trusts deliver them. In all that, it is for the commissioners to identify the services that are required and for the trusts to provide those services. Medicine is a movable feast, and the best-laid plans do not always happen.

There is much that is unpredictable, so you need a degree of flexibility.

I expect service agreements to be signed, but more important is what happens on the ground and that, where possible, delivery should be close to people, while allowing that flexibility for the unexpected, which very often happens.

#### 12.00 noon

**Mr I McCrea:** I thank the Minister for his statement to the House today. He will be well aware of how critical I have been of the Northern Trust, certainly in respect of waiting times at Antrim A&E. The Minister also knows that GPs will play an important role in tackling many of these issues. Will he, therefore, advise the House how important it is that there is better collaboration between GPs and the trust?

**Mr Poots:** It is critical, which is why we have established the partnership forum between GPs and the trusts' clinical professional leaders. The more that professionals engage with one another, identifying the issues for GPs and hospital services and how best they can be addressed, the greater the potential for positive outcomes. So I will encourage, support and, on some occasions, drive more collaboration between GPs and hospital clinicians so that we can identify and deliver the best outcomes for people.

Dr Brian Hunter was the chair of the Northern Trust's LCG and is now the GP medical director in the area, so he will assist us in ensuring that the GP voice is heard loud and clear in the Northern Trust area.

**Mr G Robinson:** I commend the Minister for his statement and ask him to tell us the responsibilities of the two senior directors. I also commend all staff in hospitals throughout Northern Ireland. They do sterling, life-saving work, and all should be commended for the excellent job that they do.

**Mr Poots:** The two senior directors who have been appointed have different roles to play. Paul Cummings is from a financial background, and his role will be overseeing corporate management and its functions and the service directorates. Mary Hinds will lead the improvement programme in the Antrim and Causeway hospitals and the related community services. In essence, Mary Hinds will largely be doing the front-line stuff. She will work with clinicians and other staff, engage with them, identify the issues and work to ensure that we have that improvement. Paul Cummings will deal with the financial

and business side. Appointments, recruitment and so forth will fall to his side of the house. That will allow Mary Hinds to focus almost exclusively on ensuring that service improvement happens.

**Mr Allister:** The Minister's statement refers to "clear consequences for non-delivery", which undoubtedly would be good, but how does that fit with the relocation on the same salary of the failed chief executive of the Northern Trust to a job specially created for him in the Health and Social Care Board, for which no one else was eligible or allowed to apply? Does that not sound more like a fix than a consequence of non-delivery?

**Mr Poots:** I make no apology for fixing things, particularly if they are broken. The truth is that I am not interested in going out to get people; I am interested in resolving problems. I identified that the problems in the Northern Trust pre-existed its creation. There were problems previously in the United, Causeway and Homefirst trusts before their amalgamation into the Northern Trust. It was a very difficult challenge. Now is not the appropriate time to be going out to damn people or to get people. Now is the time to focus on ensuring that we deliver the required quality of service for the people in North Antrim, South Antrim, East Antrim, North Belfast, Mid Ulster and East Londonderry who use the facilities provided by the Northern Trust. My concentration and focus is and will be on delivering the quality of services that people might expect.

**Mr Beggs:** I, too, welcome the Minister's statement. During March and April, the main accident and emergency units in Northern Ireland saw the lowest proportion of patients treated within four hours ever recorded. The figures show that one third of patients at Antrim Area Hospital are not seen within four hours and that, at the Causeway Hospital, it is about 30% of patients. How can the Minister be confident that we are seeing something more significant than the normal seasonal adjustment as we approach the summer months? How can he be sure that we are seeing significant improvement and changes and are starting to reach the 95% target that exists everywhere in the United Kingdom?

**Mr Poots:** We certainly did not see a normal seasonal period this year. For whatever reason, all the trusts were reporting a significant increase in the number of people attending hospital. There was a figure quoted to me of around 13%. It will always test and strain a facility when you get a higher number of more complex cases and many more admissions to hospitals. Our hospitals were under an awful lot of pressure, not so much in the early part of the winter but as we went into February, March and April. We have not quite come to an understanding of what has caused this or what the real problem has been, but we are very clear that there has been a significant increase in the number of people who have had to be admitted and the number of people who have been attending.

Hospitals have seen an increase in demand in April 2013 compared with the same period last year, with some 59,259 new and unplanned emergency department attendances in April, which is an increase of 2,796 on the previous year. Attendances in the Northern Trust increased slightly between March and April from 10,602 to 10,829. The Northern Trust indicated that it has seen an increase in sustained pressure on the emergency departments in its hospitals in the past number of weeks. That has been

exacerbated by outbreaks of vomiting and diarrhoea in seven local nursing homes, which has meant that the number of frail older people presenting at hospitals has increased. The trust's ability to discharge people back to those nursing homes has been affected by that.

This is all complex stuff; it is not easy. I challenge Members, when they talk about the trusts and the work that goes on in the facilities, to recognise that the people working in the trusts do not have an easy task. They need our support, sometimes, more than they need our criticism.

**Mrs Overend:** I thank the Minister for the statement. Integrated care partnerships have the potential to enable earlier intervention and prevent more people from entering hospitals. When will they receive significant funds? That was not mentioned in the statement. Was there a reason for that?

**Mr Poots:** No, there is no reason for it; there will be a dozen of them up and running this month. I thank the Minister of Finance and Personnel, who has just come in, for giving additional funds to ensure that Transforming Your Care can move forward and that integrated care partnerships can be established. We have put funding into the integrated care partnerships. I do not have the figure in front of me, but something tells me that it is around £3 million. That is a course of work that we are engaging in. We will ensure that those ICPs are up and running throughout Northern Ireland within the next nine months, but we expect to have a dozen of them operating this month.

## Executive Committee Business

### Budget (No. 2) Bill: Second Stage

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That the Second Stage of the Budget (No. 2) Bill [NIA 21/11-15] be agreed.*

This debate follows the approval of the Supply resolution yesterday by the Assembly for the expenditure plans of Departments and other public bodies, as detailed in the 2013-14 Main Estimates. As Members will be fully aware, accelerated passage for the Bill is necessary to ensure the receipt of Royal Assent prior to the end of July. If the Bill did not proceed by accelerated passage and receive Assembly approval before the summer recess, Departments and other public bodies might have legal difficulty accessing cash and public services and would, therefore, be significantly affected prior to our return to the Chamber in September. I am glad to note that the Bill can be given accelerated passage because the Committee for Finance and Personnel has confirmed that, in line with Standing Order 42, it is satisfied that there has been appropriate consultation with it on the public expenditure proposals contained in the Bill. I thank the Committee for its agreement to the accelerated passage of the Bill.

I know that I did this yesterday during the Supply resolution debate, but I want to take a moment to make a call for agreement on the review of the financial process. It is a process that the Committee has long sought and that would reduce the number of times that we go over the same thing in the Assembly. It would also enable greater scrutiny of the Budget, which is really what we are about, and greater transparency. The review is an opportunity for the Executive and the Assembly to deliver a positive reform of direct rule-inherited publications and financial processes. I consider it an opportunity that we should not miss. I hope that that will be conveyed to the appropriate party and we can then free up the logjam that we have been experiencing for about a year and a half.

The Assembly's Standing Order 32 directs that the Second Stage debate should be confined to the general principles of the Bill. I shall endeavour to keep in that direction and encourage others to continue in that vein, as, I am sure, you will too, Mr Deputy Speaker.

The main purpose of the Bill is to make further provision of cash and resources for use on services, in addition to the Vote on Account provided in the Budget Act in March, up to the requirements of Departments and other public bodies set out in the Main Estimates for 2013-14. Copies of the Budget Bill and the explanatory and financial memorandum have been made available to Members today. The 2013-14 Main Estimates were laid in the Assembly on 29 May.

The Bill will authorise the issue of a further £8,271,268,000 from the Northern Ireland Consolidated Fund and the further use of resources totalling £8,558,118,000 by the Departments and certain other bodies listed in schedules 1 and 2. The cash and resources are to be spent and used on the services that are listed in column 1 of each schedule. Of course, these amounts are in addition to the Vote on Account passed by the Assembly in March, bringing the total amount of cash provided for 2013-14 to

over £15 billion. In addition, the Bill sets, for the current financial year, a limit for each Department on the use of accruing resources. Accruing resources are current and capital receipts totalling £2,263,652,000. Therefore, the resources authorised in the Vote on Account in March and the resources and accruing resources now provided in this Bill bring the total resources for use by Departments in 2013-14 to over £18 billion. These amounts of resources include not only the departmental expenditure limits (DEL) on which our Budget process mainly focuses but the departmental demand-led annually managed expenditure (AME).

#### 12.15 pm

Clause 2 provides for the temporary borrowing by my Department of £4,135,634,000, which is approximately half the sum authorised by clause 1(1) for issue out of the Consolidated Fund. I must stress to the House that clause 2 does not provide for the issue of any additional cash out of the Consolidated Fund or convey any additional spending power, but it enables the Department to run an effective and efficient cash management regime and ensures minimum drawdown of the Northern Ireland block grant on a daily basis. That is important when contemplating the daily borrowing by our Departments.

Finally, clause 5 removes from the statute book three Budget Acts from 2010 that are no longer operative.

The Budget Bill is, admittedly, technical, and, on the surface, it can be hard to translate the figures into real-world public services. However, it is important to emphasise that every doctor and teacher, every road improvement, every hospital and every public service provided for under the authority of the Assembly is affected by the Bill and requires this legislation to operate legally in this financial year. Although it may appear dry and unimportant, and perhaps the figures seem a bit surreal, it is, in effect, crucial legislation for our public services. On that note, I will conclude, and I will be happy to deal with any points of principle or detail on the Budget Bill that Members raise during the debate.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. As was outlined, the Bill makes provision for the balance of cash and resources required to reflect departmental spending plans in the 2013-14 Main Estimates. Those are based on year 3 of the former Executive's Budget 2011-15, which was approved in the Assembly's previous mandate.

As on previous occasions, the Department of Finance and Personnel has highlighted the potential consequences for departmental spending should the Bill not progress through the Assembly before the summer recess. Budget Bills sometimes include provision to regularise excess cash and resources incurred by Departments, as was the case around this time last year, and I am pleased to note that, for this period, such a mechanism is not required, since no excesses have been reported.

The Committee took evidence from departmental officials, and, on behalf of the Committee, I acknowledge the work of the officials and thank them for their prompt responses to the queries posed by us. The evidence from the Department has provided explanations for a series of allocations, reductions, technical adjustments

and transfers that have been made since the budget allocations were initially set out in Budget 2011-15. As I said during yesterday's Supply resolution debate, the Committee has agreed to grant accelerated passage to the Budget Bill under Standing Order 42(2) on the basis of having been consulted appropriately on the Bill's expenditure provisions.

During yesterday's debate, I also highlighted the importance of scrutiny by all Statutory Committees of departmental financial forecasting and out-turn data. Detailed and regular monitoring of the financial performance of Departments will enable Committees to identify issues in real time and to obtain assurances that the necessary corrective or preventative action will be taken. If the figures for the prior year forecast out-turn are made available to the Finance Committee in good time for its consideration of the Main Estimates, it will, in turn, be in a position to share those figures with other Statutory Committees, which could further inform the Supply resolution debate.

As I also mentioned yesterday, the Committee is taking forward work in collaboration with the Department to develop a memorandum of understanding on the Budget process that, in conjunction with other measures, should help to improve the Budget and financial processes and related parliamentary scrutiny and accountability. Such measures will ensure that the Assembly and its Committees can add real value to the Budget process and ensure that they are afforded the time and information to enable them to undertake constructive scrutiny and exercise influence at the most appropriate stages in the process.

At a strategic level, more effective Assembly input to and scrutiny of the Executive's Budget and expenditure will help to further demonstrate that devolution is making a difference in delivering accountable, responsive and efficient governance in the North. This will represent positive steps forward, but, where the immediate business before us is concerned, on behalf of the Finance and Personnel Committee, I support the Bill's general principles.

I will make a few comments from a party perspective, a Phríomh-LeasCheann Comhairle. We need to ensure that we put a focus on the economy, and this Budget and this Programme for Government have certainly done that. Last week, I attended a CBI event with the Finance Minister in waiting, and it was good to hear the positive messages coming from that economic report.

Of course, part of the allocation in the OFMDFM budget is £5.5 million for community relations. We need to make the link between community relations and the hard issues that face us and the economy. That is a challenge for us. How do we deal with the hard issues of flags, parades and the past? Those are all having an immediate impact on communities' quality of life and prosperity. The danger is that, once again, these issues will go off the radar come September and October and will be forgotten until next year. So, given that, I welcome the setting up of the all-party group. There is an onus on it and whoever is appointed as its Chair to come up with something that is universally challenging.

I read an article by the leader of the Ulster Unionist Party in the 'Belfast Telegraph' last week. I did not agree with a lot of what he said, but he indicated that he was up for

difficult conversations. He was right to make that point. We will find no solutions to these issues without difficult conversations, and that goes for Sinn Féin as much as for the DUP and the Ulster Unionist Party. The economy and the issues of culture, identity and the past are very much intertwined whether we like it or not, and we need to figure out how to take a collective and a mature approach to ensure that those issues, which dog us on occasions in the House, do not have a detrimental effect on people's quality of life, on communities and, ultimately, on the economy. We need to realise that and act on those, because they are having a big impact on the economy.

Sue Ramsey, the Chair of the Health Committee, referred yesterday to Transforming Your Care and the costs of implementing it. She referred to it having been allocated £70 million for 2011-15. It is important that we have the right money in health to implement the right policies. At a UNISON meeting that was organised in Ballycastle last week, there was much discussion about the closure of Rathmoyle residential care home, which is still causing huge distress and anxiety for those connected to it. At this stage, they do not buy in to the idea that everything will be rosy in the garden post Transforming Your Care. According to the trust, the closure of Rathmoyle will proceed, whereas the Department gave the impression that the process was suspended for all the residential care homes. Ballycastle has not got a stay of execution, and the mixed messages from the Department and the Northern Trust need to stop, because they are having a great impact on the people who live in those homes and on their families. Clearly, the Department wants to make budget savings by nudging older people into the private sector, but "At what cost?", I wonder.

The Fire Service comes under the Department of Health, Social Services and Public Safety and has a resource allocation of £335 million. Quite shortly, the House will be looking at proposals to save money on public service pensions. The retirement age of firefighters will be one issue that will come up. That will be subject to some debate here, as it was across the water. That debate has focused on the fitness requirements of firefighters and on the lack of back-office roles in the service where older staff may go, given their own fitness performance as they approach the end of their career. That is something that we need to look closely at, and we need to try to make savings in all areas. However, sometimes the financial cost is not worth the effect that it will have on the service. It is critical that we look at that issue in detail and that the service level of firefighters be upheld.

Just over £7 million is allocated to the Maze/Long Kesh Development Corporation, which will be working with a development opportunity of international significance. Of course, there have been many naysayers about that project, one of whom is not with us at the moment. However, the site has the potential to create 5,000 jobs, ensuring that we get £300 million worth of investment. It is 347 acres of potential development, and there is the opportunity to create 2,000 jobs in the construction sector alone. I do not believe in looking a gift horse in the mouth. We need to get a move on with the project. It has huge potential to impact on our employment figures and to improve things in the construction sector. We need to look at it through an economic prism, as opposed to a narrow political one.

The A26 is a key route through north Antrim, and the upgrade of the Glarryford to Drones Road section of the route is of huge importance in reducing travel times and improving road safety, especially for those who commute from Ballymoney and Ballycastle. There is still some work to be done on that, as the Finance Minister indicated yesterday. I am keen to see that work processed and allocated as soon as possible. Of course, if you look at it from a wider perspective, the Glarryford to Coleraine part of the route is the only part of the road from Coleraine to Cork that is not dualled. Dualling it will certainly cut down travel time for commuters and for the great hurling fraternity that we have in north Antrim, heading down country every week from Cú Chulainn's, Shamrocks, Carey, Armoy and McQuillan's, who will greatly benefit. Of course, the main issue has to be the huge loss of life that we have seen on the Frosses Road section of the A26 over many years. We do not want to see that happen again. The sooner that project is brought to the fore and processed, the sooner it will be beneficial.

We need to see funding for fire stations, particularly in rural areas. I have just been passed a note from the good Member from East Antrim about the need for a fire station in Cushendall. That has been campaigned for for many years. Perhaps it is an indication that some people take the view that, because it is in the Department of Health, the Fire Service sometimes gets forgotten about, and that has a big impact in acutely rural areas such as Cushendall, Ballycastle and the north coast. Those areas are quite cut off from the Fire Service and mobile phone coverage. We need to go that extra mile sometimes for those rural areas to ensure that they get the same quality of service as anywhere else.

I conclude on that note, and I urge Members to support the Bill as introduced.

**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet immediately after the lunchtime suspension, so I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first business when we return will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.29 pm.*

*On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —*

2.00 pm

## Oral Answers to Questions

### Justice

**Mr Deputy Speaker:** I must tell Members that questions 2 and 12 have been withdrawn.

### Youth Justice

1. **Mr Craig** asked the Minister of Justice, in relation to the youth justice system, how many young people have received warnings or prosecutions in the last three years. (AQO 4259/11-15)

**Mr Ford (The Minister of Justice):** In the past three years, 8,759 young people have been brought before the youth court in relation to criminal offences. In the same period, the Public Prosecution Service (PPS) has directed diversionary disposals in respect of 7,732 young people and the PSNI has dealt with 7,690 young people by way of a discretionary disposal. There has been a downward trend in both PPS diversion and court prosecution across the three-year period. That may be attributable to the greater use of police discretionary disposals, which were introduced in May 2010. Overall, the number of young people coming into contact with the justice system has reduced.

**Mr Craig:** I thank the Minister for those figures. They clearly indicate that discretion is becoming the norm when it comes to dealing with the youth. I do not know whether the Minister has the figures with him, but will he indicate whether that is being successful in the longer term in diverting youths away from a permanent criminal record and, unfortunately, taking up a lot of time in the criminal justice system?

**Mr Ford:** I thank Mr Craig for his supplementary question. On the basis that the scheme has been in operation for only three years so far, I do not think that it is possible to forecast the long-term engagement. There is no doubt that academic research and evidence from elsewhere suggests that by diverting young people from formal engagement with the justice system, if they get involved at a relatively minor level, it is likely to be very positive in ensuring that they remain out of the crime scene in the future. However, we will need to wait a few years to get hard evidence on the scheme.

**Mr P Ramsey:** I will follow on from the Member for Lagan Valley. Will the Minister outline to the House any indications or measurable outcomes of the existing schemes on diversionary actions across Northern Ireland?

**Mr Ford:** I thank Mr Ramsey for his question, but I am afraid I am going to have to say no. It is difficult to give measurable outcomes at this early stage. We know that, when discretionary disposals are engaged in elsewhere, they have a habit of ensuring that young people do not get engaged in serious criminal activity. That is in line with some of the other good work that we have seen, for example, on reducing antisocial behaviour over the same three-year period.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. How many young people have been the subject of a fixed penalty notice, and what is the Minister's assessment of the scheme?

**Mr Ford:** I do not think that I have specific figures before me for young people who have received a fixed penalty notice, Mr Deputy Speaker. The fixed penalty schemes for the seven offences that were introduced on the basis of the first Justice Act are still at a relatively early stage. However, I am happy to provide the Member with figures when I get them to give him the full detail so far.

**Mr Deputy Speaker:** As I said, question 2 has been withdrawn.

## Policing and Community Safety Partnerships

3. **Mr Spratt** asked the Minister of Justice for his assessment of the effectiveness of policing and community safety partnerships. (AQO 4261/11-15)

10. **Mr Lunn** asked the Minister of Justice for his assessment of the progress made by the police and community safety partnerships in their first year of operation. (AQO 4268/11-15)

**Mr Ford:** With permission, Mr Deputy Speaker, I will answer questions 3 and 10 together.

Policing and community safety partnerships (PCSPs) have now been operational for just over a year, working to ensure a more joined-up approach to policing and community safety issues and making a real difference on the ground by delivering local solutions to local problems.

Some very good work has already taken place, including a range of initiatives aimed at tackling crime and antisocial behaviour. Good examples include the midnight street soccer initiative in Castlereagh, which has given teenagers the opportunity to attend a programme incorporating good relations workshops focusing on themes such as addressing racism and antisocial behaviour; and the Dreamscheme programme, which involves teenagers from six areas in Castlereagh in an intergenerational programme with senior citizens.

Other examples include the launch by Lisburn PCSP of a rural farm watch scheme that has improved communications with the farming community and the wider rural community. Lisburn PCSP has also worked with the other PCSPs in D district on the development of an app as an engagement tool for young people in the area. The app contains useful information for young people on keeping on the right side of the law. I was pleased to be able to attend its launch in Antrim two weeks ago.

There has also been significant work to help strengthen public confidence in policing, and PCSP public engagement events have provided the opportunity for the local community to address their concerns to the police and the PCSP. A major strength of PCSPs is the diversity of their membership. The involvement of political and independent members, as well as representatives of the seven designated statutory bodies, is helping to maximise those opportunities for effective partnership working.

The very positive work that has been done over the past year will now be built upon through the implementation of the plans developed for 2013-15. Those are based on

evidence gathered from community engagement and a comprehensive strategic assessment by each PCSP of the needs of its locality.

**Mr Spratt:** I thank the Minister for his reply. I agree with the sentiments that he expressed about PCSPs. A little money in some of the schemes that he mentioned — Dreamscheme, midnight soccer and stuff like that — leads to very good work in many areas.

Community safety partnerships have been able to access money recovered from proceeds of crime, which has been very effective. I think of the Dundonald area, where computers were installed on a bus that goes around hot spots each evening. Does the Minister see that continuing and will he assure us that money will continue to be recovered from the proceeds of crime?

**Mr Ford:** I thank Mr Spratt for his positive words. It is certainly the intention that PCSPs will continue to be able to draw on assets recovery money. The issue is that we are never quite sure how much there will be from year to year, which creates management issues, but I hope that we will shortly publish plans for dealing with the scheme. We will revise it in light of how it has operated in the first two years to ensure the best possible focus for that expenditure.

**Mr Lunn:** From a Policing Board perspective, the feedback on PCSPs has been entirely positive so far. They are definitely making a real contribution to local communities. Can the Minister tell us anything about potential amendments to the appointment process for PCSPs, which has been generally regarded as being not totally satisfactory?

**Mr Ford:** I appreciate the point that my colleague makes. The process for the appointment of members, specifically independent members, has largely followed the previous arrangements for district policing partnerships (DPPs). We will have to see what comes forward from the work being done by the joint committee to review a number of aspects of the working of PCSPs. There is a feeling that, to some extent, it is still a significantly bureaucratic process, and we could do with some efforts to streamline it. We need to ensure that we get a fully representative PCSP that is capable of addressing the needs of its area. The positive news is the good work that is being seen to be done by the PCSPs, but we need to ensure that the background is right to keep that going.

**Mr Deputy Speaker:** I remind Members to keep their questions short and concise.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. Following up on the themes that were expanded on by Mr Spratt about the effectiveness of the engagement of the PCSPs with the community, are there any broad thematic areas of strategic direction where support can be provided by the Department, whether it is through the plans that the Minister referred to, or whatever measure, to ensure that there is much more meaningful engagement with the communities that they represent?

**Mr Ford:** I thank Mr McGlone for that equally short question. The difficulty that he poses for me is that it is almost a question of whether there should be more central direction from the Department on how PCSPs should operate. I am a firm believer in allowing communities



to develop local solutions to deal with local problems. On that basis, I am reluctant to have an excessively prescriptive regime. We hope to see the continuation of PCSPs working well within the general community safety strategy. I believe that that is the case, but it is important that each PCSP work out how best to engage with its local community. At the same time, we encourage PCSPs to share best practice.

**Mr Beggs:** Does the Minister agree that the strength of a PCSP is the local knowledge and the range of local resources in the statutory and voluntary sector to address local issues and that, collectively, they can frequently address antisocial behaviour, which policing is, perhaps, having difficulty addressing? How does he assess whether a PCSP is not working effectively and assist it to become more effective?

**Mr Ford:** I agree with Mr Beggs's fundamental point. When PCSPs were established, we hoped that the existing community safety work would be allied to the work of the DPPs and that that would ensure a full partnership with the range of organisations. The key issue is that there was not merely an expectation that police should solve the problems. Assessing effectiveness is, to some extent, the work of the joint committee as it looks to see, in particular, the level of public satisfaction with the work of PCSPs. There will be issues with how PCSPs produce their annual reports and how that shows that they are dealing with issues. I suspect that we will also probably hear from local groups that feel that not enough is being done by their PCSP if the negative is the case, although, thankfully, we have heard little of that so far.

### Criminal Justice: Fixed-term Contracts

4. **Mr Milne** asked the Minister of Justice to outline how often fixed-term contracts are awarded by criminal justice agencies without having been openly advertised and without having regard to the merit principle. (AQO 4262/11-15)

**Mr Ford:** Since the DOJ was created in April 2010, 13 fixed-term contracts have been awarded by my Department, its agencies and arm's-length bodies, other than the Police Service, without being openly advertised. The PSNI has awarded 22 fixed-term contracts. Of those, 13 were not openly advertised, involving 11 individuals. The PSNI has provided information to the Public Accounts Committee (PAC) inquiry into the PSNI's use of agency staff. The PAC is expected to publish its report in the coming months, and I believe it would be appropriate to await that report.

I would expect fair and open competition to be the norm in the justice sector. Occasionally, it may be necessary to rely on specific expertise to deliver justice business. In my Department, Forensic Science made one such appointment to help to respond to the workload resulting from dissident activity. The Northern Ireland Policing Fund appointed a chair of the board and reappointed six directors. Those were all advertised internally in accordance with its articles of association as a company limited by guarantee. The Northern Ireland Law Commission appointed two individuals, as specific expertise was required to ensure continuity in ongoing projects. The Northern Ireland Policing Board made three appointments relating to its appointment of a human rights adviser.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí go dtí seo. I thank the Minister for his answer. Is the Minister aware that the PSNI has engaged in the practice, even in recent times, of rehiring retired police officers for unadvertised, well-paid jobs? Does he agree that, in order to open doors to newcomers, the PSNI needs to shut the revolving door?

**Mr Ford:** I thank Mr Milne for his question but I am not aware of the PSNI rehiring officers in the way that he described. The appointment of agency staff is a different issue from the specific issue of rehiring. That is the subject of the PAC inquiry, and I look forward to seeing its report.

**Mr Deputy Speaker:** Before calling the next Member, I urge you, please, to keep the questions short. Moreover, supplementary questions should not be read.

### DOJ: G8 Summit

5. **Mrs Dobson** asked the Minister of Justice for the anticipated costs to his Department of staging the G8 summit. (AQO 4263/11-15)

**Mr Ford:** The PSNI and departmental officials continue to work on the forecast cost of the policing and security operation associated with the G8 summit. The total cost to my Department will not be known until some time after the summit, as some costs, such as compensation claims and legal aid, will be incurred after the event and will be dependent on the level of unrest experienced.

I welcome the Chief Constable's report to the Policing Board last Thursday. He advised that he had received a letter from Danny Alexander, Chief Secretary to the Treasury, giving assurance that the vast majority of the cost of the policing operation will be met by the Government. The PSNI will bear the cost of the purchases and developments that were already built into policing spending plans, some of which have been accelerated as part of the G8 operation.

**Mrs Dobson:** I thank the Minister for his answer. Can the Minister confirm the existence of a PSNI business case for the G8 that includes figures like £4.2 million for the security fence? Does the Department of Justice have its own business case for the summit?

**Mr Ford:** I thank Mrs Dobson. I am not sure that it would be beneficial to go through in this place all the individual costs, most of which are the responsibility of the UK Government, given that it is 10 Downing Street and the Foreign and Commonwealth Office that are organising the summit. However, I can assure her that appropriate business cases have been prepared for anything that falls within the remit of the DOJ.

**Mr Givan:** This is an issue that the Justice Committee sought answers to only last week, and the official refused to tell us. Can the Minister give us an estimate of the overall cost associated with the G8 and what proportion of that is expected to be borne by the Department of Justice and the PSNI?

### 2.15 pm

**Mr Ford:** I thank my Committee Chair for his usual inquisition. The reality is that I cannot give a forecast of what the overall cost will be, because there are sufficiently many undetermined factors and factors that will not be determined until significantly after the conference is

over. What I can say is that a sum of money will fall to the PSNI and, hence, to the DOJ. That money is related to expenditure that will already have been in train, for example, for a variety of capital programmes that have been accelerated slightly to enable the policing operation to function well during the G8 conference. Those are issues on which we would have been expending money otherwise. However, as I have said to the House, we have seen the letter that was sent by the Chief Secretary to the Chief Constable, and that makes clear the expectation that the funding, other than that for accelerated spending, will fall to the UK Exchequer and not to the DOJ.

**Mr Byrne:** Can the Minister give some indication of the quantum of the capital costs that are associated purely with staging the G8? Can he also give an assurance that there will be no revenue difficulties for the police going forward?

**Mr Ford:** I thank Mr Byrne for his question. However, I am always reluctant to say that there will be no revenue difficulties for policing costs, when we look at the kind of events that can happen on the streets and when we do not yet know what it will cost for policing experience for the number of special events happening this summer, as well as the usual issues around parading. Therefore I am very cautious about saying that there will be no pressure on the police in that respect. I am assured that the key additional costs for G8 are being fully funded elsewhere, but, as we look at a difficult financial situation for this year, we will ensure that we do our best to get the best value for money from the DOJ expenditure.

**Mr Lynch:** Go raibh maith, a LeasCheann Comhairle. The Minister may be aware that the Scottish Parliament is still trying to recoup some of the moneys from the costs incurred eight years ago at Gleneagles. Can he give an assurance that that will not be repeated after next week's conference?

**Mr Ford:** It would be a foolish man who would give the prediction that Mr Lynch is asking for. However, I can say that I believe that we have better assurances from the Treasury than perhaps was the case. It would also probably be reasonable to say that working relationships between DFP and the Treasury in that particular role and between DOJ, the Home Office and the Foreign and Commonwealth Office are better than they perhaps were between elements of the Scottish Government and the UK Government eight years ago. I am not sure that I would wish to fall into the trap of getting too closely led on what happened after Gleneagles.

### Director of Public Prosecutions: Offences Against the Person Act 1861

6. **Mr Boylan** asked the Minister of Justice if he will consider making provision to enable the Director of Public Prosecutions to appeal the leniency of sentences under section 20 of the Offences Against the Person Act 1861. (AQO 4264/11-15)

**Mr Ford:** Without questioning the circumstances of any individual offence, I am unaware of any particular public concern around sentencing in respect of offences under section 20 of the Offences Against the Person Act 1861, and I have no current plans for review.

Section 20 of the Act makes it an offence to wound or cause grievous bodily harm. The section 20 offence is what is known as a hybrid offence, which can be tried in a Magistrates' Court or the Crown Court. For such an offence to be subject to appeal by way of unduly lenient sentencing legislation, it must be specifically listed in statute, and the section 20 offence is not currently included.

The seriousness accorded to the section 20 offence was, however, demonstrated by an increase in the maximum penalty on indictment from five years to seven years in 2004. I should add that the more serious section 18 offence of grievous bodily harm with intent is referable as unduly lenient, because it is an indictable-only offence.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank you, Mr Deputy Speaker, and the Minister for his answer. Will the Minister consider an amendment under fairer, faster justice to make provision for an appeal in relation to a conviction relating to domestic abuse?

**Mr Ford:** I can only repeat to Mr Boylan that, whilst he may have a point around the issue of domestic abuse, we would need to ensure that there was sufficient evidence to justify it. At the moment, a significant number of section 20 offences are tried in the Crown Court on indictment. Only one third of such offences are tried in the Magistrates' Court. I think that that is a recognition by the Public Prosecution Service of the seriousness of many of those offences. If there is specific evidence of where, he feels, that system has broken down, I would be very happy to receive it from him.

**Mr Kinahan:** Can the Minister update the House on the progress that has been made in implementing the recommendations of the Lord Chief Justice following the report of his sentencing group?

**Mr Ford:** I am not sure precisely which recommendations Mr Kinahan is referring to. I am happy to look at any further detail he may wish to give me. The issue of some matters that are being considered for referral as unduly lenient is out for consultation. Those matters relate to a number of issues around excise offences. If there are other offences he wants to make suggestions about, I will happily hear from him.

**Mr Rogers:** Health service employees are assaulted in the course of their duty. How is that service reflected in sentencing policy?

**Mr Ford:** I thank Mr Rogers for the question because the issue of specifically creating offences that relate to assaults on health service staff or other public servants has been addressed during the past three years. The reality is that there is provision under sentencing guidance for judges to take into account the circumstances in which an assault takes place. That can include issues such as whether somebody is performing a public service as well as issues such as the vulnerability of the victim. I believe that that guidance is in place. The issue of how it is applied in any individual case is, clearly, not for me, but I believe that, in general terms, the provision is there.

### Northern Ireland Courts and Tribunals Service

7. **Mr Gardiner** asked the Minister of Justice if he plans to privatise the Court Service along the lines proposed by his Westminster counterpart. (AQO 4265/11-15)

**Mr Ford:** I have no plans to privatise the Northern Ireland Courts and Tribunals Service.

**Mr Gardiner:** Will the Minister take the opportunity to affirm that the independence of the judiciary is far more important than saving money and that no price can be put on that cornerstone of our freedom and constitution?

**Mr Ford:** I certainly agree with Mr Gardiner that the independence of the judiciary is crucial. I am always reluctant to say that no price can be put on any aspect of the justice system, given that we have a limited, finite budget. However, the key point that he makes — to ensure that the courts and tribunals work best in the interests of providing justice — underpins the work that we do in DOJ.

## Human Trafficking Action Plan

8. **Ms McCorley** asked the Minister of Justice what discussions took place with agencies on the island of Ireland in the formulation of the annual human trafficking action plan. (AQO 4266/11-15)

**Mr Ford:** The first annual human trafficking action plan for Northern Ireland was published on 23 May. That action plan is an important step forward and maps out a clear direction of travel in tackling the appalling crime of human trafficking.

I recognise the need to work in collaboration with other partners if we are to provide an effective response to human trafficking. Therefore the action plan was developed in partnership with, amongst others, the statutory bodies represented on the immigration and human trafficking subgroup of the Organised Crime Task Force (OCTF) and the non-governmental organisations represented on the engagement group on human trafficking.

The plan reflects the Northern Ireland response to human trafficking, but it also takes account of the wider context of human trafficking across the whole of the UK and Ireland. For example, the United Kingdom Human Trafficking Centre and an Garda Síochána are each represented on the OCTF subgroup and have been involved in the development of the action plan. In addition, a number of the NGOs represented on the engagement group operate on an all-Ireland basis.

I regularly meet the Irish Minister for Justice and Equality. My officials continue to liaise closely with officials in the Department of Justice and Equality (DJE) to identify opportunities for cross-border collaboration. The action plan has been shared with that Department. Obviously, a number of the issues have a cross-border element. My Department also plans to co-host a cross-border forum on human trafficking later this year in partnership with DJE that will bring together statutory agencies and NGOs to facilitate better co-operation and partnership working across both jurisdictions.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra go dtí seo. I thank the Minister for his answer. I welcome his remarks on cross-border co-operation, but I do not see them reflected in the action plan. Does the Minister agree that, in order to act comprehensively against human traffickers, there needs to be a fully joined-up all-island approach to the matter? Failure to do so is a disservice to victims.

**Mr Ford:** I agree with Ms McCorley about the need for a joined-up plan. Our plan is a Northern Ireland plan that, I believe, correctly takes account of cross-border and UK-wide issues. We are in a particular position in this region, and we need to take account of what is happening south and east of us. I think that we are seeing that happen, and I believe that some of the practical work being done through, for example, the interministerial group on human trafficking, which meets in London, and the North/South work that I do with Alan Shatter and colleagues in Dublin shows that we are getting that joining up without doing anything other than saying that this action plan is the plan for Northern Ireland.

**Mrs D Kelly:** What resources do you have in place for the provision of aftercare for women and others who have been rescued? Do you believe that the resources you have are adequate to meet the forecasted need?

**Mr Ford:** I thank Mrs Kelly for her question, although she strayed a little beyond the specific issue of the plan. I believe that, in simple terms, the resources required are all available. Clearly, they operate in different ways. For example, DHSSPS has specific responsibilities for children, and Edwin Poots can answer for those. In respect of the other work that we do, I believe that engaging with NGOs that provide aftercare for adult victims meets the needs that exist. That will certainly be kept under review if those needs increase.

**Mr Newton:** Can the Minister confirm that one of the major problems for those taken into aftercare is not the pressure exerted on them in Northern Ireland but the pressure exerted on them or their family in their country of origin, from which they were trafficked? Has the Minister given any consideration to that aspect by working with the jurisdictions in those foreign countries?

**Mr Ford:** Mr Newton highlights a significant point: there is absolutely no doubt that many people are put under pressure, including threats to their family in the country from which they originated. However, I fear that, if I were to go any further in talking about engagement with those countries, I would stray outside my responsibilities as a devolved Minister and into responsibilities that lie elsewhere. I certainly engage around those issues when I attend the interministerial group on human trafficking led by the Home Office.

## Police: Injury-on-duty Awards

9. **Mr Copeland** asked the Minister of Justice for his assessment of the review of injury-on-duty awards for police officers. (AQO 4267/11-15)

**Mr Ford:** I appreciate that this is an important issue that may be a cause of concern for former police officers. Under regulation 35(1) of the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006, the responsibility for arranging reviews of an award lies with the Policing Board. Sam Pollock, the chief executive, wrote to me regarding the current Policing Board policy on reviews of injury-on-duty awards. He advised that an injury-on-duty working group had been set up to discuss issues raised by representatives of the Police Federation, the Retired Police Officers' Association and the Disabled Police Officers Association. My officials currently participate in that working group to offer support, clarify the legislative

provision and address any concerns that fall within the remit of my Department.

I understand that the working group intends to present its findings by the end of this month. The Policing Board has taken the decision to suspend all reviews until the working group has completed its discussions. I await the outcome of that work with interest. I anticipate that I will be able to provide a more informed and substantive response when I have had sight of the working group's findings.

**Mr Copeland:** I thank the Minister for his answer. On behalf of former police officers who have had a level of pension rights because of their medical conditions — in the past, those conditions have been described as permanent, but they now appear to be in the process of being reduced — can I ask whether “permanent” no longer means permanent? Further to that, can the Minister support the discontinuation of the current review?

**Mr Ford:** No; I cannot support the discontinuation because it is not my position to do so. That matter lies quite properly with the Policing Board, and I await the outcome of the review.

## Agriculture and Rural Development

**Mr Deputy Speaker:** I call Mr Chris Lyttle. I am sorry; Mr Chris Lyttle is not in his place, so we will move on to Mr Mickey Brady.

2.30 pm

### Maximising Access in Rural Areas

2. **Mr Brady** asked the Minister of Agriculture and Rural Development to outline the benefits of the maximising access in rural areas project in tackling rural poverty. (AQO 4274/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. As you know, the maximising access in rural areas (MARA) project is an initiative based on the premise that visiting people in their own homes and using a personal touch encourages them to avail themselves of services and grants that they would not otherwise have known about or known where to apply to. Phase 1 of the project ran from October 2009 to March 2011 and provided visits by locally trained enablers to over 4,000 vulnerable rural households. Those households were identified by local people, such as members of community and voluntary groups, postmen, district nurses and GPs, all of whom worked in small, localised project teams. For the 4,135 households that were visited, just over 10,000 referrals were generated to advice agencies and the Social Security Agency for benefit entitlement checks; the warm homes scheme and sustainable energy programmes to address fuel poverty issues; to rural community transport partnerships and Translink for a SmartPass to address transport and access issues; to local councils to receive home safety checks; and to the Housing Executive to receive disabled facilities grants. There were also referrals to local and regional statutory community and voluntary organisations so that people could receive or avail themselves of regional services.

An independent post-project evaluation included a social return on investment that estimated that £8.62 benefit was

leveraged from every £1 invested in the project. Phase 2 aims to visit 12,000 households by April 2015 and to build on the learning from phase 1 by integrating an automated questionnaire and referral system and including second visits to support households. Anyone who feels that they know of a household that could benefit from such a visit should let us know, as this project is having a significant positive impact on our vulnerable rural households.

**Mr Brady:** I thank the Minister for her comprehensive answer. I had a supplementary question asking her to detail the success of phase 1, but she has already given some detail on that. However, she may want to elaborate.

**Mrs O'Neill:** Phase 1 has been very successful, and we hope that phase 2 will allow us to build on that further. I am committed to our being able to reach so many vulnerable and isolated people. I welcome the cross-departmental support that allows us to do that.

**Mr Rogers:** I thank the Minister for her answer so far. Has she had any discussions with the Minister of Education to ensure that rural poverty does not extend to education provision?

**Mrs O'Neill:** As I said in my initial answer, a lot of the projects are about households. It is about going door to door and reaching marginalised and isolated people who may not know where to go to access services. In the initial stages, it is about signposting, but that leads on to people getting help. One benefit of the project will be that a second call will be made to make sure that people received help. Education is not the focus; it is about access to benefits and rural issues, but the enablers will be happy to assist with any issues that people present to them when they call. They will then ensure that people know where to go to get the help that they need. The beauty of phase 2 is that enablers will go back to check that people got help.

**Mrs Overend:** Will the Minister give her assessment of the differing levels of rural poverty in the west of Northern Ireland compared with the east?

**Mrs O'Neill:** I do not have statistics with me, but suffice it to say that, given the nature of the west and its rural population, people often live in marginalised and isolated areas. The Executive are mindful of that, and the fact that we have Executive agreement to bring forward these initiatives is a positive step for people in the west who, simply by the nature of the geography of where they live, are isolated and should be targeted. I am pleased with the work not only of the MARA project but of the wider tackling rural poverty and social isolation framework, which is working towards targeting those people.

**Mr Deputy Speaker:** Ms Michaela Boyle is not in her place to ask question 3.

### Rural Development Programme: Wind Turbines

4. **Mr Boylan** asked the Minister of Agriculture and Rural Development for her assessment of the environmental impact of wind turbines in rural areas that are funded through the rural development programme. (AQO 4276/11-15)

**Mrs O'Neill:** So far, axis 3 of the rural development programme has offered grant assistance for 56 feasibility studies for wind turbines and the installation of 33 turbines.

A further five wind turbines are being installed as part of larger projects, and the joint council committees have approved a further eight feasibility studies and six installation applications for funding. The majority of these are for farmers diversifying to become energy producers and thereby supplementing their farm income. As an added benefit, the energy created in the process is reducing the carbon footprint. Rural community projects are also being taken forward, which will help to reduce the financial burden on community groups in the current economic climate while reducing their carbon footprint. Every project funded by my Department must have a feasibility study undertaken that includes environmental considerations and an assessment of its viability.

Additionally, as part of the local action group (LAG) assessment process, the environmental impact is considered, as it is for all funding applications. I am keen to support renewable technology as a way for rural dwellers to reduce the amount of money that they have to spend on electricity and to give them a new income stream, particularly given recent rises in the cost of electricity.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. Will she outline her support for other renewable technologies?

**Mrs O'Neill:** Yes, and I thank the Member for his question. Back in September last year, I reopened the Department's biomass processing challenge fund (BPCF) for a second tranche. That funds support for renewable energy technologies that are fuelled by biomass, including biomass boilers and anaerobic digesters. Nineteen projects have received letters indicating that they qualify for the award of a grant. The majority of energy produced by BPCF-supported installations must be produced on the farm in direct support of agricultural activities. I support on-farm anaerobic digestion as a means by which farmers can utilise their farm resources efficiently and ensure that they have access to a secure supply of clean fuel.

Grant awards under the scheme are provided at a rate of 40% of total project costs, up to the sterling equivalent of €400,000. Projects claiming payments under the renewables obligation certificate (ROC) scheme for producing renewable electricity will have a deduction applied to their grant award.

**Mrs Dobson:** The Minister will no doubt be aware of the significant concerns with which wind turbines, especially wind farms, are usually met in local communities. Although I welcome the support that her Department offers through projects through LAGs, will she detail the role that she believes local communities should play in deciding appropriate locations for their composition?

**Mrs O'Neill:** I am broadly in support of renewable energies and encouraging people to move towards using them. However, proper strategic planning needs to be at the core. Those things should not just be imposed on communities without their views being sought. Although some of the projects look towards giving some sort of incentive to local communities, sometimes that is not enough. In Scotland, the benefits to local communities seem to be a lot more favourable. As I said, although I am broadly supportive of renewable energy, projects should not be imposed on communities. There should be proper planning at the core of a project. If companies want to

offer benefits to communities, those should be maximised, because electricity costs are very high. If there are benefits at all for local communities, those should be fully exploited.

**Lord Morrow:** What joined-up thinking and collaboration is there between the Minister's Department and the Department of the Environment (DOE) on the provision of wind turbines?

**Mrs O'Neill:** That is obviously a cross-cutting issue, and it is an ongoing discussion at officials' level. I have also had discussions with the Minister of the Environment. My Department has its renewable energy action plan, which was consulted on with DOE. DOE is key in all of this. I am coming at it from the potential for the farming community to be able to install renewable energy projects that will assist it in the longer term. That is the angle from which I am coming at it. Officials and I regularly engage with DOE on wind farms in general. One of the other areas that I have been exploring is wind farms on Forest Service land. However, DOE is firmly in the lead.

**Mr Durkan:** I thank the Minister for her answers thus far. Will she outline what farming-related criteria are used to assess grant aid applications for single wind turbines on farms?

**Mrs O'Neill:** I am very happy to provide the breakdown of the detail to the Member in writing. That is assessed through the access support system that is in place. People get funding from the Department under measure 3.1 of the rural development programme, which is on diversification.

### Agri-Food Strategy Board: 'Going for Growth'

5. **Mr Anderson** asked the Minister of Agriculture and Rural Development what financial support she intends to provide to primary producers to help them to reach the targets identified in the Agri-Food Strategy Board's 'Going for Growth' action plan. (AQO 4277/11-15)

7. **Mr Beggs** asked the Minister of Agriculture and Rural Development for her assessment of the call in the 'Going for Growth' report for the introduction of a farm business improvement scheme. (AQO 4279/11-15)

**Mrs O'Neill:** With your permission, a LeasCheann Comhairle, I will answer questions 5 and 7 together. I welcome the launch of the Agri-Food Strategy Board's report and, in particular, its visions for a single, sustainable, profitable and integrated supply chain. I also welcome the board's recognition of the need for a strong, sustainable producer supply base.

Central to delivering a sustainable supply base is a proposal to introduce a £250 million farm business improvement scheme for producers who are committed to market-focused business development. I welcome that proposal and believe that such a scheme will improve productivity and efficiency at farm level. Provided that the necessary funding can be secured, I believe that we can deliver such a scheme. However, as you are all aware, the Minister of Enterprise, Trade and Investment and I have only recently received the report, and we are now taking time to carefully consider each of the recommendations before bringing forward final proposals on this and other recommendations to the Executive.

**Mr Anderson:** I thank the Minister for her response. The Minister has a substantial underspend in axis 3 of the rural development programme. What plans does she have to use that money to help achieve the targets set out in the report and to increase profitability in farms across Northern Ireland?

**Mrs O'Neill:** The Member will be aware that I have a major programme of work ongoing for any potential underspend in axis 3. I am committed to making sure that, by the end of the programme, not one penny will be handed back to Europe and that each penny of European money that has been secured will be spent to the best effect in rural communities. I am very much committed to that. I brought forward a strategic projects initiative that has been very successful. It is still early days, but it has been very successful in assessing the projects that have come forward. I believe that we will spend all that money by the end of the programme.

I believe that the new rural development programme will be an excellent vehicle that will allow us to bring forward many initiatives that will meet the recommendations in the report. We are involved in consultations, so it is very timely that we have received the report now. It will feed into the discussions around shaping the new rural development programme. The publication of the report and the fact that we are consulting on the new programme is all good timing.

I definitely believe that the new rural development programme will be an excellent vehicle in the time ahead. However, as I said, it is still early days in considering the recommendations. Although the report is very challenging, I think that it is very doable. There are quite a lot of positive elements in it that the industry, Minister Foster and I welcome.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answers. Will the Minister give me a timetable for the implementation of the report?

**Mrs O'Neill:** As I said, we received the report only recently and are working our way through each of the recommendations. Some recommendations are, I think, quite simple and easy to implement and others are a bit more long term. There are short-term, medium-term and long-term objectives to be met.

A number of challenges and recommendations have been laid down in the report that are directed towards my Department, the Department of Enterprise, Trade and Investment and the Department for Employment and Learning. We need a proper, full and frank Executive exchange of views once everybody has had a chance to fully digest the report and look towards the next steps. My intention is that the work will be done over the next number of months, and that I will bring an implementation plan to the Executive early in the autumn for discussion and, hopefully, for sign off.

**Mr Byrne:** I thank the Minister for her answers so far. Will she state whether DARD is in a position to provide the £250 million for the farm business improvement scheme that Mr O'Neill has asked for, if possible within the first three or four years of the strategy?

**Mrs O'Neill:** I will maybe start in reverse. It is not just Mr O'Neill who is asking for it; it is the whole strategy board, which, I would point out, reflects the whole supply chain,

from the farmers through to the processors and retailers. That is one of the beauties of the report, which I know the Member acknowledges.

The recommendation for the £250 million is one recommendation among quite a number that we are trying to work our way through. I think that the money being asked for is doable. The money that the board have asked for from the Executive, and the leverage that that would bring in from the industry, would bring fantastic benefits. In my opinion, it is doable, and I look forward to going to the Executive with the plans after I have had discussions with all the relevant Ministers. I hope to get agreement and sign off on that early in the autumn.

**Mr Cree:** Will the Minister confirm whether her Department has made a bid in the June monitoring round to make a start on securing some of the finances required under the 'Going for Growth' document? If not, why not?

## 2.45 pm

**Mrs O'Neill:** No, I did not make a bid in the June monitoring round because it would not be appropriate at this stage. We are talking about significant investment; it is not something that you could take up from a June monitoring round. We need to be a wee bit more strategic about it. As I said, we are working our way through all the recommendations. Some things are a bit simpler and we can turn them around quite quickly. However, some of the major things related to £250 million of investment cannot be bid for through June monitoring. As I said, we have a plan in place to consult over the coming months, and we will go to the Executive early in the autumn with an implementation plan, and, hopefully, get agreement for the way forward. That is the commitment that I have made to the industry, and I am committed to making sure that we meet that timeline. After that, we will see where the Executive can take the funding from or bring it to.

## Rural Areas: Inequality

6. **Mr G Kelly** asked the Minister of Agriculture and Rural Development to outline how her Department is addressing inequality in rural areas. (AQO 4278/11-15)

**Mrs O'Neill:** My Department is fully committed to fulfilling the section 75 statutory duties across all aspects of its business functions and through the effective implementation of its equality scheme. I continue to ensure that equality and good relations are central to decision-making processes and that we work to tackle inequalities and improve access to our services and information for the benefit of our rural customers and communities. My Department has also set out a range of actions and targets in its audit of inequalities to help to address persistent inequalities across our business remit. Along with others, my Department shares responsibilities to take forward a range of measures contained in NI-wide strategies, action plans and UN conventions.

Following agreement of the 2011-12 to 2014-15 Programme for Government Budget, I reaffirmed my Department's commitment to addressing rural disadvantage and inequality by allocating £16 million to initiatives that tackle poverty and social isolation. That is building on the success of work undertaken during the previous Budget period. Our work to strengthen the social and economic infrastructure of rural areas is primarily

taken forward through the rural development programme. The current programme runs until 2013 and aims to create more sustainable businesses and jobs, support projects that will enhance the quality of life of local communities, and support strong community infrastructure. The next rural development programme, which will run from 2014 to 2020, is being developed. An equality impact assessment will be carried out and it will go to public consultation during the summer.

**Mr Deputy Speaker:** I call Mr Robin Swann for a supplementary question.

**Mr Swann:** I thank the Minister for her answer. Most rural inequalities should surely be addressed under the rural White Paper action plan. Of the 94 actions contained in the rural White Paper action plan, how many has the Minister's Department achieved?

**Mrs O'Neill:** The White Paper is not relevant to the initial question, but I am happy to give the Member an answer, because we have regular cross-departmental meetings to make sure that it is not a shiny document that sits on a shelf but a living, working document. My predecessor Michelle Gildernew was committed to making sure that the project was started, and I am delighted that we were able to see it through. It is an ongoing piece of work. Cross-departmental meetings are held quarterly to discuss the actions. However, I am happy to write to the Member to outline where we are at in delivering on all the recommendations across all Departments.

**Mr Deputy Speaker:** I apologise to Mr Gerry Kelly, who should have been called first.

**Mr G Kelly:** Easily forgettable, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire. I notice that the Minister's voice is all but gone, so I am sorry that this is a short question. Does DARD have a strategic plan to improve the life of rural dwellers?

**Mrs O'Neill:** The simple answer is yes, we do. I recently consulted on the 2012-2020 strategic plan. In the consultation document, the Department outlined its commitment to promote equality of opportunity and good relations for rural dwellers. The Department has set out its intention to tackle poverty and social isolation. I am strongly committed to the work that I have taken forward around the £16 million to tackle poverty and social isolation. I want to make sure that we continue to roll that out because there are obvious natural inequalities for people who are isolated and marginalised. Those things need to be tackled. It is not the remit of just this Department to tackle those issues; it is every Department's responsibility. However, I am happy to take the lead and to ensure that all Departments play their role in tackling the poverty and isolation in rural communities.

**Mr Eastwood:** Will the Minister assure the House that there is no differential in Youth Service provision across the North and that people in rural areas are offered the same level of support and service as those in urban areas?

**Mrs O'Neill:** I absolutely support that. We have taken forward a number of initiatives that have come through the tackling poverty and social isolation project, which is looking at actually funding groups that are in areas providing services and at youth employability. There have been a number of successful projects, and I want to make sure that that continues. There should be no disparity

between the services that people get in rural areas and those in urban areas.

**Mr Deputy Speaker:** I remind Members that question 7 was grouped.

## Organic Farming

8. **Ms Brown** asked the Minister of Agriculture and Rural Development to detail the level of support available to assist organic farmers. (AQO 4280/11-15)

**Mrs O'Neill:** My Department provides financial support for farmers converting to organic production through the organic farming scheme. The scheme compensates farmers for the additional costs associated with converting land to organic production methods. Payments range from £470 to £670 per hectare over five years, depending on land type, and there are currently 31 farmers in the scheme. Support is also provided for organic farmers through the organic management option within the countryside management scheme. That provides an annual support payment of £30 per hectare for organically certified land, and there are currently 6 farmers availing themselves of that option. The organic farming scheme and the organic management option are funded under the rural development programme and are now closed to new applicants.

My Department encouraged development of the local organic sector through the organic action plan group, which was funded over a four-year period from 2005. The group, which was made up of organic stakeholders, produced an action plan containing practical proposals to help develop the sector. It concluded its work in 2009, having achieved the majority of its objectives. To complement that, my Department also provided a capital grant support scheme to help farmers to convert existing animal housing to meet organic standards. Some £2 million of grant aid was provided to 77 projects through that scheme, which concluded in 2007.

Furthermore, ongoing technical advice and training courses on growing organic produce are available through CAFRE's development advisers and technologists. There is a fully operational organic farm at Greenmount College, which farmers can visit to learn more about best practice in organic production methods. DARD supply chain advisers can also provide supply chain and marketing advice. My Department also offers a wide range of support through various other schemes that are open to all farmers, including organic farmers.

**Ms Brown:** I thank the Minister for her answer thus far. With adequate government assistance, the quantity of organic produce in the food chain would greatly increase, which would be a great benefit to both farmer and consumer. Will the Minister indicate what additional initiatives her Department plans to introduce to strengthen the organic sector?

**Mrs O'Neill:** The fact that we have had higher commodity prices in recent years has resulted in limited premiums at the farm gate, so I think that has been a disincentive to a lot of farmers from getting involved in organic farming practices. I think the stats are that, in 2006, 224 farmers were involved in organic practices, and, in 2012, that was down to 139. I think that much of that is down to the fact that they are not attracting a premium, so it is not

necessarily something that is attractive to farmers who are trying to sustain their income. There is probably a weak market there, but I do think there is a niche market for organic produce among people who are interested in it. The CAFRE advisers, the development work that we are doing and the fact that we still run an organic farm at Greenmount that farmers can look at for themselves to see whether it is something that they are interested in is the type of work that we can do to produce it. However, it is very much market-led, and factors such as higher commodity prices will always have an impact on whether a farmer decides to get into organic farming.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answers so far. I also wish her a speedy recovery. What has been the uptake in support for organic farming?

**Mrs O'Neill:** The organic farming scheme that the Department rolled out provides support to farmers who want to convert to organic production methods. It is funded through the rural development programme. There are 31 participants currently in the scheme, and they are farming about 1,100 hectares of land under organic management. That scheme is currently closed to new applicants. It actually opened in March last year and 33 applications came forward, but only six of those were progressed through to agreement when they got through all the details. The scheme itself, within the countryside management scheme, is providing support of about £30 per hectare per year to a further six participants with 52 hectares of organically certified land under management. A small number of farmers are still involved in organic farming; however, as I said in my previous answer, that depends on the market and the associated costs of being an organic farmer.

**Mr Elliott:** Just for clarification, the Minister said that the market was a weak market but also a niche market. Over the past six years, has the number of farmers who are involved in organic farming increased or decreased?

**Mrs O'Neill:** As I said earlier — it was probably my voice and the Member could not hear me — the number of farmers who are involved in organic farming has decreased. It went from 224 farmers in 2006 to 139 in 2012. I said that fewer farmers are getting involved in organic farming because they are not attracting the premium that they need in order to be an organic farmer. That is because of rising commodity costs among other things.

It is a difficult market for people to get into, but although a small number of farmers are still involved and there is a small niche market for organic produce, the factors that I have outlined show that there is a declining number of people who want to get into organic farming.

**Mrs D Kelly:** I hope that the Minister's voice will return to full strength shortly.

The Minister said that organic farming was a niche market, and Mr Elliott asked her about that. Does she believe that farmers' markets are a way of helping to further promote organic farming? Is the Department as proactive as it should be in promoting farmers' markets, given the absence of them in many towns across the North?

**Mrs O'Neill:** Farmers' markets are fantastic. I have visited many of them, and I know that people are interested in the food journey and where their food has come from — the

field-to-fork or gate-to-plate story. People like that idea, and I am happy to work with the industry to establish more of those markets because they are very successful. Organic food can often be found at those markets; it is unique produce, and the people who grow it can find a market for it there.

I will continue to work with the farming industry to develop all those things. The fact that the Department provides advice and runs an organic farm at Greenmount shows that we are interested in it and that we want to support anyone who wants to take that method of farming forward.

## Ancient Trees

9. **Mr McCarthy** asked the Minister of Agriculture and Rural Development, following the findings by the Woodland Trust on threats to ancient trees, to outline her plans to protect the 3,000 ancient trees that may be at risk from pests and diseases. (AQO 4281/11-15)

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Woodland Trust's ancient tree hunt project, which has raised public awareness and appreciation of our oldest trees and has resulted in the identification and recording of over 3,000 ancient, veteran and notable trees throughout the North.

The primary responsibility for the protection of individual or groups of trees of special amenity, historical or rarity value lies with the Department of the Environment, which can make tree preservation orders under planning legislation. However, responsibility for prevention, containment and eradication of tree diseases is an important area of work for my Department. A plant health contingency plan is in place to deal with incidents of non-indigenous plant pests and diseases.

In the event of an outbreak, the plan contains procedures for carrying out an initial risk analysis and the establishment of an incident management team, which would develop a plan to put in place prevention, eradication and control measures, including surveys and stakeholder consultation.

This approach has been employed to manage the outbreak of Chalara, or ash dieback disease. Our experience has demonstrated the importance of agreeing a fortress Ireland approach to plant health matters, working with those most likely to be affected by the disease, such as woodland owners and farmers. We are considering views from stakeholders on our draft all-Ireland Chalara control strategy and we hope to publish that shortly.

**Mr Deputy Speaker:** Time is up. I am sure that the Minister is relieved, and I congratulate her on persevering. I am sure that we all wish her a full recovery.

**Ms Boyle:** On a point of order, Mr Deputy Speaker. I apologise to you, a LeasCheann Comhairle, and to the Minister for not being in my place to ask question 3. Go raibh maith agat.



3.00 pm

## Executive Committee Business

### Budget (No. 2) Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Budget (No. 2) Bill [NIA 21/11-15] be agreed. — [Mr Wilson (The Minister of Finance and Personnel).]*

**Mr Deputy Speaker:** I call Mr Peter Weir, who is in his place.

**Mr P Ramsey:** On a point of order, Mr Deputy Speaker. The Chamber is very warm today. Is the Deputy Speaker minded to relax the rules on the wearing of jackets?

**Mr Deputy Speaker:** I am very reluctant to take on the responsibilities of the Speaker in his absence. At the same time, I am sure that, if Members are overcome, they can take a little walk.

**Mr Weir:** I am not quite sure whether I should start by apologising for being in my place to those who have to listen to my speech. There seems to be an indication of heat in the Chamber. I will try my best not to increase that. A particular level of sweat seems to have broken out on the SDLP Benches, so I will try to generate environmentally friendly air to waft across throughout the debate. I know that the Minister is very good at delivering a cold blast of reality, and I suspect that we may get that later in the debate.

I will try to keep my remarks fairly brief. As a member of the Finance and Personnel Committee, I welcome the Bill before us. Like the Minister and others in the Chamber, I have been through quite a few of these debates over the years.

First, it is important to look at the overall financial position. In terms of Budget Bills, we would all like the luxury of having a very large surplus that would allow us to choose between a range of good projects that we all wanted. I suspect that Members will come forward with a lot of good ideas during the debate. There will be a number of worthy suggestions for where the money could be spent. I do not think that anybody would disagree with that, but, in tough economic times, the choice is often between good projects.

We need to recognise the fiscal position that we are in, not only the impact of the recession on all our constituents but we should always bear in mind that the constraint upon us is the block grant provided to us by Westminster. Some in the House will want to go on flights of fancy involving Northern Ireland, in some way, going it alone financially or as part of an entity with the South. We have to face the reality that, when it comes to our fiscal deficit, we are very dependent on the block grant. Estimates vary, but the latest figure for our net fiscal balance is that the Budget is dependent on the subvention of somewhere in the region of £10.5 billion from the rest of the United Kingdom. That does provide a degree of constraint.

There has been speculation about efforts being made to lever in additional funds from the Exchequer across the water. All of us would welcome that, but, ultimately, it would not change the overall picture of our being in a tight financial position. As such, in looking at the way forward, we need to recognise the sensitivities and the impact of national decisions on us in Northern Ireland. We do not

have carte blanche to act, particularly on welfare reform. All in the House will look at where we can benefit from devolution or where, in the words of Alban Maginness yesterday, we can look for “imaginative” solutions.

As the Minister said yesterday, every solution has a price tag. We will try to protect the most vulnerable, but we must realise that, with welfare, we cannot be self-sufficient. Consequently, it is vital that we approach the issue with some realism. Similarly, an issue in front of the Committee for Finance and Personnel is that of public sector pension reform. We will all have a great deal of sympathy for those directly involved. Again, we must realise that Northern Ireland simply going off into some type of “ourselves alone” situation is not financially sustainable. Although there has been some dispute over the figures, the Department has estimated that simply ducking out of that reform would cost a minimum of £260 million a year, and the cost would probably rise as the years moved by. That is something that should be a salutary lesson to all of us.

It is important, as was indicated at the Committee, that we take time to ensure that this is got right. However, some want to see the whole issue long-fingered for as long as possible. Indeed, some people have stated outside this Assembly an aim to put off pension reform for as long as possible. That is not in the broader interests of the community as a whole. We have to realise that, if there is an additional cost to the public purse, that is something that has to come out of somebody's pocket. Essentially, as we do not have any major tax-raising powers, that will lead to cuts in other spheres of public expenditure. So, we have to be realistic about our position.

As indicated yesterday, it is important that, in looking at the pressures on all our constituents through the Budget, we try to minimise those pressures as much as possible. One of the levers that we have, which has been used very successfully, is rates. The Minister mentioned a comparison with the position a decade ago, and particularly the vast rate rises that occurred: on one occasion, under direct rule, there was a rise of 18%. A sensible approach has been taken by the Minister and the Executive on the issue of rates to ensure that at no stage during this term have regional rates risen by any more than the rate of inflation. On a number of occasions, those regional rates have been frozen.

Given that they are the wealth-creating and job-creating elements of our society, the measures that have been taken in the Budget to provide support for businesses are particularly useful. We are in a situation with business rates support where the majority of businesses receive that support. Particularly welcomed by some of the groups in the sector has been the level of support that the Executive have been able to give through the Budget to small businesses. The extension of the small business rate relief scheme is highly welcome: it has increased by around 25,000 the number of businesses that have received that help.

As indicated, our approach means that the level of rates that people pay in Northern Ireland is a great deal less than the equivalent across the water, whether it is England, Scotland or Wales. The figures will vary from area to area, but there is several hundred pounds of a difference. That is without the fact that we have taken the decision centrally not to impose water rates; the expenditure on water is met in the block grant. So, there is a considerable

advantage to living in Northern Ireland, and there could be a considerable competitive advantage to the situation for businesses.

As a party, we are not giving up on this issue. The Budget needs to act as an accelerator to economic growth. At best, we are seeing a few green shoots of recovery, and I think that it would be widely felt around the Chamber that a more positive attitude from Treasury and the Government across the water as regards corporation tax would be helpful.

Finally, I will mention another issue that is crucial to our economy: capital spend. Sometimes, people accuse the Assembly of not doing a great deal, but the commitment over the decade to £18 billion of capital spend is crucial to the employment situation and to our economy. The indications this year are that we are in a better position to meet that target. Indeed, some of the Barnett consequentials in the Budget indicate that we are in a stronger position.

We have seen a range of capital schemes, be they on our roads, through proposals from the Department of Education on new school builds, through the assets that have been unfrozen as a result of the A5 or through the commitment and hard work that is ongoing through the Department of Social Development (DSD). This week, we have seen the official announcement of £2.4 million of funding for public realm schemes, such as the one in Holywood and the one that will soon happen in Bangor.

There is a strong commitment on capital. At a time when the construction industry raises issues, it is vital that, in difficult times, public expenditure is helping to protect that sector of the economy as well as possible. The Budget is something to progress on. Therefore, in the overall picture, I commend the Finance Minister on the Budget and urge the House to support the Bill today.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leat as deis cainte a thabhairt domh sa díospóireacht seo. Ba mhaith liom díriú inniu ar an phróiseas airgeadais é féin, chomh maith le cúpla pointe a thógáil nár thug an tAire freagra orthu i ndíospóireacht an lae inné.

Thank you very much, Mr Deputy Speaker, for the opportunity to contribute to the debate. I certainly gained an insight into the process of accelerated passage yesterday when the Minister was almost out through the door before he moved the First Stage of the Bill. I know what accelerated passage means now.

I will concentrate on the reform of the financial process. The Minister mentioned that at the beginning of his speech, as did Members in yesterday's debate. I will refer first to a report published by the Association of Chartered Certified Accountants, 'Parliamentary Financial Scrutiny in Hard Times'. That compares the level of financial scrutiny across different countries and jurisdictions, and the report notes that the outdated Estimates Supply votes process that exists in a Westminster-style system is a key barrier to effective parliamentary scrutiny of the Budget and financial reports.

The report states that, in countries that use the Westminster model of government, Parliaments cannot realistically amend the spending proposals, and many are barred from substituting a Budget of their own. Instead, they are confined to assenting to spending proposals that are put to them. The report states that the focus of financial scrutiny needs to be realigned with the Budget,

spending plans and resource accounts, which requires significant structural and cultural reform. That criticism is true of our Supply-vote-style system, despite the in-year monitoring process.

The Committee for Finance and Personnel carried out an inquiry into the Assembly's ability to scrutinise the Budget effectively and came up with a number of measures to be considered to make that process more accessible and to provide opportunities and sufficient time for Members to contribute to and scrutinise the Budget and in-year processes. One of the measures was a memorandum of understanding between the Assembly and the Executive, which the Minister referred to yesterday. I very much welcome the progress in that area.

Another important recommendation was the establishment of a more regularised budgetary process, including a clearly defined pre-draft-Budget stage. That would facilitate earlier input from the Assembly, irrespective of whether it is an annual or multi-year Budget process. The third important recommendation was that Statutory Committees should use their powers more often to call persons and papers related to financial matters.

In 2011, the Executive launched their review of the financial process in response to the Committee's review document. It highlighted many of the recommendations that were raised in the Committee's inquiry. The Committee stressed that an early strategic Budget phase is one of the most influential stages of the Budget process and is, in fact, an essential requirement rather than merely an aspiration.

So, I welcome that a review of the financial processes has taken place, and I welcome the Committee's recommendations. I would like to hear from the Minister where exactly his Department is on those recommendations. It is important that no Minister block progress in this respect, and I think that it is also important that all barriers are removed and progress is made quickly.

### 3.15 pm

I shall raise a few points that arise out of yesterday's debate. Yesterday, I asked the Minister about the £18 million of European funding for the Titanic project. To be quite honest, I was surprised that the Minister said that, so far, not even one project had been identified for that funding. I want to ask him whether he is concerned that more progress on that issue has not been made.

I will return once more to the revenue-raising targets. The Minister told us yesterday that around £422 million has now been secured. I welcome that figure; it is certainly a resource that is very useful to the Executive here. I said yesterday that the original announcement was £1.6 billion, and I think that the Minister revised that back to £862 million. I remember that, at the time, the Minister said that he would include in the figure only those projects that could be realised. He has now brought in £422 million, so, is there a further £440 million to be realised in revenue-raising measures? If so, can that be done in the time of the budgetary period that remains?

I notice that the Financial Provisions Bill contains no reference to legislation to obtain the £40 million that was to be included in the Budget from the Harbour Commissioners. When I enquired about that, I found out that an arrangement had been made between the

Department for Regional Development (DRD) and the commissioners that the commissioners would provide buildings or building space for foreign direct investment. I would be interested to hear from the Minister the details of that arrangement and to know whether that means that the figure of £40 million is no longer available from the Harbour Commissioners.

Another point that I raised yesterday was about the £12 million that has been set aside for the childcare strategy. I said that, to my knowledge, around £300,000 of that has been disbursed to date. I made the point that many community and voluntary organisations involved in childcare are very much waiting on this funding. I cannot recall whether the Minister replied to that one, and I would appreciate his response today. Can he tell us when that particular resource, along with the childcare strategy, will be made available?

Go raibh míle maith agat, a LeasCheann Comhairle. Tá mé buíoch díot as an deis cainte a thabhairt domh, agus beidh mé ag súil le freagraí an Aire. Thank you very much, Mr Deputy Speaker, and I will await the Minister's response.

**Mrs Overend:** It is vital that sufficient budgetary scrutiny take place, not least in the Department of Enterprise, Trade and Investment, given its importance in supporting an economic recovery. To that end, I support the sentiments expressed by colleagues that the review of the finance process must be implemented as soon as possible. Further to that, with unemployment levels, youth unemployment and unemployment-related benefits all remaining stubbornly high, we must ensure that all resources are being used effectively. I must say that I remain particularly concerned at the latest PricewaterhouseCoopers (PwC) 'Northern Ireland Economic Outlook', which shows that we are slipping behind the rest of the United Kingdom in almost every economic indicator. We must, therefore, question whether this Budget is strong enough to reverse that trend.

I will use this opportunity to raise just a few issues concerning the 2013-14 Budget Bill that specifically relate to the Department of Enterprise, Trade and Investment. First, the situation with the legal dispute over the European grant to the Titanic signature project has already been raised during various stages of the budgetary process last year and in the past two days. I would welcome the Minister's clarification on how the £18 million request from the Enterprise Minister will be reallocated. Further to queries from my colleague Mr Cree, and just now from Mr Bradley, will the Minister detail when that allocation will be confirmed? We must maximise the benefit from European funding opportunities, and we have seen, through the proposed peace building and reconciliation centre at the Maze, for example, that that does not always happen. I hope that this significant funding will be put to good use.

A vibrant and fit-for-purpose infrastructure is a key driver in promoting growth, and constant improvements must be sought. That is truer than ever for our construction industry, which is suffering badly as a result of the economic downturn. I was pleased to read the latest Ulster Bank statistics, which show modest improvements in the sector. However, major government attention is still needed, as the industry is technically in decline, not least in my constituency of Mid Ulster, where I hear of continuing difficulties in the sector.

The Minister has been granted additional infrastructure spending of over £200 million from the Treasury through Barnett consequentialities during this comprehensive spending review (CSR) period. However, it is not quite clear how that money is being spent. Will he outline what specific projects that money has been, or will be, made available for? I note his words from yesterday's Main Estimates debate, when he said:

*"Some of it cannot be spent directly by Departments; it has to be given in the form of third-party loans. It is called 'financial transactions money', and we have to work our way through that to find projects". — [Official Report, This Bound Volume, p38, col 1].*

I welcome more detail if the Minister can respond on that.

I am also keen to raise with the Finance Minister the issue of alternative financing, including partnerships between the public and private sector. That is something that the CBI in Northern Ireland has also been advocating. The Minister will be well aware that the current investment strategy contains no commitment —

**Mr Beggs:** Will the Member give way?

**Mrs Overend:** Certainly.

**Mr Beggs:** Does the Member agree that PFI funding should stand up in a business case? Is she surprised to learn that the new health and care centres for Lisburn and Newry were approved by ministerial direction and that no business case as yet has been presented?

**Mrs Overend:** I thank the Member for his intervention and for a point well made.

The Minister will be well aware that the current investment strategy contains no commitment to use alternative financing until between 2015 and 2021. However the strategy does commit to:

*"actively engage with institutional investors in order to attract inward investment into public-private infrastructure."*

That leads me to ask two questions. First, what active engagement is ongoing with such investors? Secondly, will the Minister bring alternative financing methods forward into this year's Budget to boost the construction sector?

This is an important year for establishing the future of regional aid and selective financial assistance (SFA). I will not go into the issue in any detail today, as the House debated the topic recently. Suffice it to say, Northern Ireland's situation may well change in the not-too-distant future. I am particularly interested to hear of the alternative strategies being put in place, should the large sums spent on SFA no longer be an option. Indeed, that was a recommendation of the Audit Office and the Public Accounts Committee, which considered that area very recently.

I want to conclude by raising an issue of transparency that the Audit Office and the PAC also dealt with, alongside SFA, in the review of the Invest Northern Ireland report, relating to targets currently in place for job creation. At present, we set targets for, and measure, the promotion of jobs, which is the number of jobs promised by investors. We should really be dealing with the number of jobs actually delivered on the ground. Without that transparency, it is impossible to judge value for money

in the Department of Enterprise, Trade and Investment. Moving from job promotion to job creation would allow us to scrutinise future budgets much more robustly. I accept that steps have been put in place to address that. However, I am sure the Minister accepts that it is frustrating for MLAs to not have a clear indication of jobs created as we attempt to assess Northern Ireland's economic position.

**Mr Lunn:** I had better say at the start that I support the passage of the Bill — accelerated or otherwise — just in case anybody thinks that I may sound a bit negative as I proceed.

We live in a very challenging financial climate, and it is vital that every pound spent is spent efficiently. Therefore, it will not surprise anybody if I refer occasionally to the need for a shared future agenda that means something. It is a subject that has exercised the Alliance Party for many years and which, I am pleased to say, is now beginning to attract attention from other parties, most notably demonstrated by the recent issue of the document, 'Together: Building a United Community' by OFMDFM.

As I go on, I will probably appear to be sceptical about the document, but it is at least recognition that bringing our people closer together is a vital priority, not just for social reasons but for sound financial and economic reasons. The drain on our annual budget has been a source of discussion for many years, and it has been variously estimated at £1.5 billion by Deloitte, £1 billion by the Alliance Party and Oxford Economics, and a much smaller but unquantified amount by the Minister of Finance. Whatever it is — and we will never know for sure how much wastage there is — it is more important than ever that we cut down on waste caused by duplication of facilities and services.

In that respect, I want to highlight the failure of the Executive to bring forward the Education and Skills Authority Bill. That legislation is vital as the first step towards streamlining our education system and enabling progress to be made in every aspect of that hard-pressed Department's activities from early years to GCSE, the schools estate, area planning, procurement and all the rest.

*(Mr Principal Deputy Speaker  
[Mr Mitchel McLaughlin] in the Chair)*

The Bill has been in preparation for seven years. The first Bill failed and the current one is stuck with the Executive while the DUP and Sinn Féin eyeball each other and refuse to give an inch; mostly, I suspect, around the argument about grammar schools and their special status. The Minister spoke in the House this morning. The Chairman of the Education Committee is shaking his head, but I do not know: only the DUP and Sinn Féin appear to know anything about this. The Minister —

**Mr Storey:** I thank the Member for giving way. I think that the Member should know. If I am not mistaken, the Member is also a member of the Education Committee, and he was party to a report that was produced and delivered to the House. If anybody thinks that, on the basis of reading the report from the Education Committee, there was consensus on the issues around ESA, I think that the Member needs to go back and read that report. Secondly, with regard to money, it is an absolute scandal and disgrace that almost £15 million if not more — nearly £20 million — has been wasted on a project that could

have been introduced seven years ago had there been the will to introduce it. Real questions need to be asked by the Audit Office as to what the Department of Education has done in squandering nearly £20 million.

**Mr Lunn:** I am not sure which report the Chairman is talking about, Mr Deputy Speaker, but he seems to be agreeing with me that there are still considerable concerns about ESA and the potential loss or passage of the Bill.

**Mr Storey:** I thank the Member for giving way. I am referring the Member to the Education Committee's report on the Education Bill, in which it repeatedly said — I thought it was just for the sake of repeating it — no consensus, no consensus, no consensus. Maybe that is the report that the Member should refer to.

### 3.30 pm

**Mr Lunn:** I understood that it was a report that was presented to the Education Committee, not the one that we drew up ourselves. Obviously, I am well aware of that, and well aware that there are contentious matters. However, the fact is that that report was delivered to the Executive two months ago. We wait for white smoke to rise, but nothing is happening. In the meantime — *[Interruption.]* I will move on because I really did not intend to get into that particular discussion today.

While the Executive fiddle, Rome is burning. The present education boards have been shorn of good staff. An unwieldy, inefficient system will continue to leak money, extend wasteful practices, spend money on schools that will probably close, and continue to allow the two main education sectors to coexist, with scant regard for what each other is doing. In my opinion, that is why we look forward to the establishment of ESA, if it ever comes. However, I fear that the good ship ESA is going to hit the rocks again, given the deafening silence from the Executive. In budgetary terms, that would be a disaster. The Minister reassured us this morning that ESA is coming. He did not know when — in this session or this mandate — but there is no sign of it.

I firmly believe that there is enough money in the education budget to provide the service for our children that we all aspire to, but major decisions need to be taken, and ESA is the starting point. The same comments apply to the much delayed review of public administration. Many figures have been bandied about around possible savings from the proposed changes. Frankly, I have no reason to believe any of them, but I am sure of one thing, which is that an 11-council model will ultimately be more efficient than a 26-council model and that budgetary savings will ultimately flow from that efficiency. Why the delay? Again, it is an Executive stand-off. I will not bother to dwell on that or to list the other long-outstanding matters such as welfare reform or the Planning Bill. Suffice it to say that we spend endless hours on private Members' motions, which may well be worthy in intent, but are non-binding and are generally dismissed by Ministers. While we agonise for hours over a few jobs for special advisers or same-sex marriage, the major legislation that we need to pass is pushed back, with inevitable consequences for Northern Ireland plc and the Budget.

I want to comment on some of the proposals in OFMDFM's 'Together: Building a United Community' document. I will start by complimenting the authors because they have

used Alliance Party terminology in the title. It is a straight lift from our previous documentation. "United community", for those who may have forgotten, is the designation of Members who have been sitting on these Benches since 2007. It is not easy to be critical of a vision that, in many ways, mirrors my party's aspirations, but this is a Budget debate. From that standpoint, it is concerning that so little detail is available on cost or whose budgets are to be affected. It is not reassuring that, for instance, a proposal to remove all peace walls in Belfast within 10 years should be brought forward without reference to the Minister of Justice, who has finally managed during his tenure to make some small inroads into that problem, or to detail in any way where the finance will come from to progress such an ambitious and sensitive project.

Whether feasible or not, I am not against visionary targets. They will cost money, but we do not appear to have that money or know where it is coming from. Likewise, the proposal to put 10,000 NEETs into employment for a year is being promoted as a means of bringing young people together in the workplace as a driver for social cohesion. Again, there is no reference to the Minister normally responsible for employment matters, and there is no indication of how much it will cost and from what budget it will come, or, for that matter, where the jobs will come from.

If you look at the proposal in the document for 10 new shared campuses, based on the premise that allowing schools to share facilities while remaining separated will somehow bring about a shared future, with greater understanding across the sectarian divide, you see not a single mention of integrated education. I well remember the First Minister's proclamations that he is a devotee of integration, and has been since he joined the DUP. His first speech to a DUP gathering was on integrated education.

The Department of Education has constantly failed to honour its obligation to encourage and facilitate integrated schools, which have proved for 40 years that it is possible to educate our children together in one school, with all the social benefits that flow from that. Instead, we are pursuing a separate but equal shared schooling agenda rather than the ultimately more beneficial — and, since this is a Budget debate, more cost-effective — solution of real amalgamation. Why build two schools when one would do?

The estimated cost of the Lisanelly shared campus is £130 million, and will probably be more in the fullness of time. However, that is the baseline figure that we have to go on for one major shared campus. OFMDFM proposes 10 such campuses. In the House a few weeks ago, junior Minister Bell indicated that the total estimated cost of the entire united community project over 10 years would be around £500 million. There is something wrong with the maths.

Mr Bell also indicated that the money set aside for the A5 project could be utilised, which clearly came as a surprise to Minister Kennedy. I notice that we are to debate shortly a UUP proposal to spend that money on other road projects to benefit the hard-pressed construction industry. So, which will it be? We are talking Budget here. It just does not seem to add up, so I will be interested to hear from the Minister about that. We badly need road projects.

It is obvious that our already strained budgets cannot cope with major extra demands. The 10 new campuses, if they ever go ahead, will probably devour Mr Bell's £500 million

all on their own. We need to live within our means and our budgets. The First Minister has hinted at an economic pact with Her Majesty's Government, to be revealed on Friday, presumably as a reward for the progress around the shared future agenda. I am not, as you can probably tell by now, full of optimism about all this, but we shall see.

In the past few days, we have heard of the debacle at the Northern Ireland Housing Executive, with £18 million handed out to contractors for imaginary work. What were the Housing Executive and DSD thinking of? That is not small beer. I would like to know what percentage of the Housing Executive's maintenance budget that would represent.

How about the £2 million paid out to landowners in the west and not recoverable following the delay to the A5? There was the £900,000 spent by the Education Department on a failed assessment programme. If we go back a bit, there were the many instances highlighted by the Audit Office and Public Accounts Committee of incredible waste: the Belfast to Bangor railway line upgrade; the unworkable IT upgrades in various Departments; Balmoral High School; the land at Crossnacreevy that was grossly overvalued — and on and on it goes.

Having said that I will support the passage of the Budget Bill, I will finish by saying that I still support the passage of this Budget Bill.

**Mr D Bradley:** Really?

**Mr Lunn:** Yes, but we have a lot of work to do to stay within that Budget. I look forward to the Minister's comments.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** I am pleased to be able to speak as Chair of the Committee for Regional Development. As we discovered yesterday, the provision for the Department for Regional Development for 2013-14 is some 6.5% less than the provision allocated in the Estimates in the last financial year. Much of that has come about as a result of the reprofiling moneys in respect of the A5 project. The capital allocation was £240.9 million and capital reductions of £336 million, again relating to the A5 and A8 projects.

Although I was unable to speak in the debate yesterday due to other business in the Assembly, I noted with interest in the Hansard report that the matter of the A5 was handled admirably by other Members. I welcome the suggestions they offered on how the money could be used.

Given that the project is in a state of delay rather than demise, the Minister, quite rightly, pointed out that there is some £113 million in the Budget for the project that needs to be spent in this financial year. The Minister, again quite rightly, pointed out that there is no flexibility to carry that beyond this financial year. The Committee has also been advised by the Department for Regional Development that it is returning £108 million of that in the June monitoring round but has bid for some £81 million to make improvements to our existing roads and for other related matters.

I know that my colleague the Finance Minister has been very generous to the Department for Regional Development in the past monitoring rounds when reallocating reduced requirements, and I hope that his generosity will continue for a lot longer. Currently, the backlog in structural maintenance stands at some £820 million, so this bid is very much deliverable, as has been

witnessed in the past. The importance of infrastructure as a contributor to the wider economy cannot be underestimated. The reliance of the construction and quarry industries on those major investment streams has been recognised in the past by the House and by the Executive. I hope that that continues to be a central priority for government in Northern Ireland and that the Finance Minister continues with his welcomed generosity when he considers the out-turns arising from June monitoring.

Minister Kennedy came to the Committee for Regional Development at the end of May and advised that he had submitted a paper to the Finance Minister and Executive colleagues in which he outlined the benefit of accelerating other major road improvements. I am conscious that there is to be a debate on that matter soon, and I do not wish to spoil things. However, I can confirm that the indication was that the programme of works included the A6 Randalstown to Castledawson dual carriageway, the A31 Magherafelt bypass, the A26 Glarryford to Drones dual carriageway and the A55 Knock Road widening in Belfast.

**Mr Storey:** Will the Member give way?

**Mr Spratt:** I thought that my mention of the A26 might provoke my colleague.

**Mr Storey:** When I hear the A26 mentioned, it always provokes an interest. Does the Chair of the Committee agree that although it is a very difficult task and challenge for any Department that has to make a decision on how and where funds are allocated, given the arterial route that the A26 is to the north coast and to the premier tourist attractions in Northern Ireland, it is vital that we continue to upgrade a road that has had a very poor road safety record. Clearly, it is an issue that needs to be urgently addressed. I think the Minister and the Executive need to take that matter very seriously.

**Mr Spratt:** I agree with what my colleague says about the A26. Certainly, it is the gateway and the road to the north coast and to all of that area. There have been many very serious and very tragic accidents and quite a number of fatalities on that stretch of road. Bearing in mind the cost of human life and the folks who, tragically, have been killed there over the past number of years, it is a road that very much deserves to be improved as soon as possible.

I can also confirm that the Committee for Regional Development would support that pragmatic programme. The progression of those works would further protect future budget allocations, should there be a prolonged delay to the A5.

It is vital that the moneys voted to Northern Ireland Departments are used in the most efficient and effective manner and that they meet, if not exceed, the Programme for Government objectives that were set at the beginning of this mandate. It is equally important that the elements identified in the savings delivery plans are achieved. The Department for Regional Development has a savings delivery of £58 million over the coming year, and, at present, the Committee is concluding two inquiries, which, we believe, will deliver the potential for further savings in future years. I hope to bring one of those to the House for debate before the summer recess.

### 3.45 pm

The Committee has some concerns that the Programme for Government's targets and budgets for sustainable public transport might not be met. We continue to scrutinise the Department and the operator to ensure that that is not the case. I welcome the fact that, on top of the two inquiries into transport integration and delivery structures, the Northern Ireland Audit Office is preparing a value-for-money audit of Translink. I look forward to seeing the PEDU report on that organisation in the not-too-distant future.

On the subject of Translink, two weeks ago, the Minister and his senior officials came to the Committee. One question that they were asked was on the reserves that are held by Translink. Frankly, the Committee felt fully stonewalled by the answers and around how the Department was dealing with the issue. We were finally told that a figure of £8 million for this year was additional to the reserves of previous years, which then prompted a further look by finance researchers in the Assembly. The Committee examined Translink's accounts for 2012. It could see that it had total reserves of more than £19 million. However, the accounts also indicated that it had other reserves of £50 million. They did not indicate where or what those reserves refer to. Translink also held £10.55 million in cash at the end of 2012 and £13.5 million in short-term deposits. Translink was also able to clear a £31 million bank overdraft, which appeared at the end of 2011. Again, no explanation was offered about where those moneys came from.

Translink has just raised fares for the travelling public by up to 8%. It has asked the Department to bid for another £12 million for new buses. It has £19 million in reserves and £24 million in cash. It will be guaranteed a lucrative contract, which has not been widely advertised in other areas, for the next 10 years. It was soft findings, rather than an actual advertisement and procurement process. That is being proposed by the Department. The question must be whether, given the apparently lucrative reserves in Translink, DRD should be allowed to trundle along to the public purse at every opportunity to put business cases for additional cash for an organisation that, frankly, has failed fully to explain transparently the reserves that it holds despite the fact that all members of my Committee have regularly asked questions of the Department and, indeed, Translink on the issue. We have been unable to get satisfactory answers. Before more public money is given, we need to be sure about those reserves.

The Committee for Regional Development has always been supportive of the Minister and his officials in the delivery of their services against and within their budget. We will continue to be strong in our scrutiny of the Department and its arm's-length bodies to ensure that our constituents receive the most effective and efficient services in the most economical way and that the Department delivers on its commitments to the benefit of the Northern Ireland economy. I support the Budget Bill.

**Mr Storey (The Chairperson of the Committee for Education):** I wish to comment at the outset as the Chair of the Committee for Education.

As the House knows, the Department of Education is one of the larger-spending Departments. In 2012-13, it spent over £2 billion, according to the Estimates document. The

Committee has recently been advised by the Department that it spent around 99.5% of its 2012-13 budget.

I understand that the Education Department has one of the better records in budget forecasting for both capital and resource. From time to time, I am a little critical of the Department and its Minister. However, it would be remiss of me not to comment on the Department's good record in that aspect of financial management and to give praise where it is due. However, I am sure that that will probably decline and wane as I proceed through the comments that we want to make.

There are many demands and pressures on the education budget. A key concern for the Committee is the current substantial maintenance backlog in the schools estate. On behalf of the Committee, I would, therefore, like to record our thanks for the Executive's confirmation of an increase of some £10 million in the school maintenance budget as part of the allocations under the economy and jobs initiative, albeit that that is a small amount in the overall maintenance backlog given the deficit and the challenge. However, any amount of money that can be used to alleviate what are very serious and pressing issues for principals, teachers and staff in our schools is to be welcomed.

The Committee also welcomes the previously announced increases to the capital budget of some 4% in 2013-14 and the considerably larger increase to that budget expected in the following year. I will return to the issue of the capital budget.

A moment ago, I mentioned the Department's record on monitoring and living within its budget. The Committee recently spent some time looking into the savings delivery plans that cover the period in question and pertain directly to the Budget Bill debate. The Committee accepted the Audit Office recommendations on the 2008-2011 efficiency delivery plans. The Committee felt that the Department of Education's failure to comply with DFP's co-ordination of the savings delivery plan was simply not acceptable. The Committee noted the Department's good record in respect of capital and resource budgeting; nonetheless, it strongly felt that it should have participated in DFP's savings monitoring, if only to share its good practice with other Departments. It was regrettable to read in the Minister of Education's correspondence that it was quite clearly a "no" to being involved in the process of the savings delivery plans.

Sharing good practice with other Departments, unfortunately, has not happened. The Committee wants the Department to work inside the limits set by the Budget Bill, which we will vote through in the House today. The Committee, like the Finance and Personnel Minister, wants other Departments to do the same. I hope that, following the good work of the efficiency delivery plans, which is being done by the Committee for Finance and Personnel, common sense will break out in the Department of Education and its good practice in overall forecasting and budgeting will be shared across other Departments.

The Department's resource budget is large. It pays our teachers and keeps what is generally an excellent educational provision running and doing so in a way that is a credit to those involved in the delivery of our education service. The Education Committee wants to see education run more efficiently. It wants to see, for example, the Department's PEDU stage 2 action plans, which have yet

to be produced even though the relevant PEDU reports were generated some 18 months ago. Members also want to see more action on the stage 1 PEDU report. The Committee simply wants to be sure that money is not wasted by the Department in the delivery of front line education services.

**Mr Rogers:** I thank the Member for giving way. Does the Member agree with me that there seems to be a lack of strategic thinking on the saving delivery plans? Take, for example, the saving of £15 million by the boards: that was measured very much at the input stage, but, if you look at the outputs, you see that, as a result of that saving, CASS has been decimated. How can you attack the area of literacy and numeracy if, in some board areas, you have only one numeracy co-ordinator right across the board?

**Mr Storey:** I agree. I know that, from the Member's experience in his past profession, he has a particular insight into the day-to-day challenges that face our schools and the way in which budget changes can dramatically change the outcome in the way that we deliver education in our schools.

There is an issue with the PEDU reports and the savings delivery plans in identifying the savings that can be made in a way that enhances rather than hinders front line delivery. We will come back to that point in a moment or two. We need to see how the Department of Education could have a better outcome in the Budget process through working with DFP not only for forecasting but for delivering services in our schools.

Efficiency in service delivery is an important issue for us. As we have said, front line services are vital. In education, the front line is the class-room, the teachers, the pupils and the schools. Earlier today, the Education Minister announced a revised proposal for common funding formula schemes. I assure members of the Committee who are present in the House this afternoon that the Committee will have a detailed examination of today's announcement. It may be that members will have to seek guidance from DFP on the matter. The Finance Minister may be asked to comment on elements of the proposals because there is an issue about how we ensure absolute transparency in the way in which funds are allocated to Departments.

Even today in the House, something in the region of £30 million has been announced as additional money through a number of proposals, and we have not yet seen a breakdown of where the money is coming from. I will hazard a guess: if the amount of money that is allocated to small schools support were removed, that would come very close to the amount of money that is being proposed for allocation to other schemes and other elements of the common funding formula. Members of the Education Committee will need to take that very seriously as we look at the issue, because it has an impact on the overall framework that the Finance Minister has tried to set. As an Executive, we have to consider how we deal with the Budget in that, when a Budget is set, it is incumbent on Departments to work within the framework. When a crisis such as the A5 arises, we must, when possible, have sufficient robust methods and structures in place to allocate that money in a way that keeps Northern Ireland plc working to the maximum.

In the meantime and in the context of the Budget Bill debate, the Education Committee recognises the need

for the simplification of funding arrangements for schools. However, the Committee wants the resource and capital covered by the Bill to be used to add value to the education of our children, both in measurable attainment and in the less tangible aspects of school life that we, as parents, know benefit our children, whether that be in a small rural school or an urban school with high levels of educational challenge.

The Education Committee has also spent quite some time reviewing the Department's capital programme, both the newbuilds and the school enhancement programme. The Committee welcomes the announcement about the former and looks forward to more news on the latter. The Committee understands that the budget for newbuilds is not a bottomless pit and that not every school that deserves a new building will have an announcement made on its future.

However, given the financial constraints, I think that it is more incumbent on the Department of Education than ever to provide more transparency on the newbuild process and more information on the progress of individual projects.

#### 4.00 pm

We are all aware of the financial constraints on Departments. In previous debates, I asked for more information for Committees on the Budget and the spending process. I repeat that call today, and I also ask that Departments provide more information on their spending to all their stakeholders.

Those comments were made in my role as Chair of the Education Committee. I will, in conclusion, make a few comments as a Member. The efficient and effective use of resources in a time of economic challenge has been and continues to be a key issue for my party and me. As Chair of the Education Committee, I praised the Department for its budget forecasting. I highlighted a number of key areas where the Committee feels that there could be improvements in the financial management of budgets. However, I want to raise a number of issues in which my party feels that there is room for improvement by the Minister and Department. A more effective and closer working relationship between the Minister, the Department and the Committee that they serve could yield more efficient and effective use of the resources in education.

I will highlight two key areas. One is developing new policy without taking account of an efficient use of resources. Over the past number of years, we have witnessed a number of new policy developments that have resulted in the expenditure of significant additional resource through new arrangements that officials argued were essential to ensuring improvement in the system. Despite widespread concern in the system about the usefulness of the particular change, officials forged ahead with the change on the basis that the concerns are being whipped up and that it will be all right on the night.

Six months later, the Committee receives reports that all is not well and that the concerns were not only real but ignored. One prime example was and is the computer-based assessment and the £4 million that was committed to an initiative that was seriously flawed from the outset. That has contributed little to improving the assessment process. Teachers and schools told Committee members from the outset that it was going to be problematic, and

it was. Let us remember that the Minister told us that there was no problem or crisis. Just a few weeks ago, the Minister had to come back to the House to confirm that there was a problem and a crisis. I know that the members of the Education Committee are diligent and will have read their folder for the meeting tomorrow, so they will confirm what I am about to say: when you read the gateway report, you see that it raises serious concerns on how we still have many unanswered questions about that process.

The Member for Lagan Valley referred to ESA. When I first came to the House in 2003, ESA was being talked about by the officials and the Department as though it was going to happen imminently. This is the connection; it is not a tenuous link. It is not, as the Finance Minister tried to warn us, going from Dan to Beersheba to include whatever you possibly can in the debate. It is relevant to ensuring that policy is connected to the budgetary process in a way that does not lead to financial challenges or crises. We have money that should ultimately have been spent more effectively and efficiently. Almost £20 million was spent on the ESA implementation team. I ask the House — the Finance Minister is present — whether anyone can really tell us what tangible benefit was given and delivered to our education service as a result of that process.

**Mr Lunn:** I thank Mr Storey for giving way. I take the point about the money that has been spent: it is hard to see the tangible benefit from that money. However, does he not accept that, in the longer term and for the greater good, ESA, in whatever form it appears, may turn out to be a better vehicle for the delivery of the education system than the disparate approach that we have across five boards and all the other organisations?

**Mr Storey:** I thank the Member for his intervention. I accept that, if you were to take the eight organisations that were proposed primarily — the five education and library boards and the other organisations — and dismantle or amalgamate them, there are surely efficiencies that could be delivered. However, if you, as a policy statement or procedure, start to bolt on to that efficiency process a raft of other political or ideological agendas, or whatever, you move away from the real focus of why you wanted to do the thing in the first place. I think that that is where have come to with the ESA process.

The performance and efficiency delivery unit (PEDU) reports, and the report on school transport in particular, are prime examples. I commend the Minister of Finance and his officials for what I believe were outstanding reports in their breadth and their detail on home-to-school transport and school meals. They clearly indicated that, across the five boards, there was a huge difference in the way in which services were being procured and delivered. I come back to the point that, whenever you have a disconnect between a policy intent and the way in which a budget is delivered, it leads to issues such as the £20 million that I contend has been squandered on the ESA implementation group.

My second point is on the bureaucracy that is associated with spending, where poor processes and a lack of a decision process costs money. In part, that is similar to some of the comments that I have made. I believe that it is important to have proper procedures in place to protect the use of public money, but, at times, it appears that the Department has developed procedures that negate the efficient spend of that money. Capital spend is a good



example, and I know that the Minister has been attempting to make improvements in that area.

It is not acceptable that, once the Minister announces a capital project, the time taken to get that project shovel-ready — the phrase has become very common in the House — is often measured in years before parents and teachers see the bricks on the ground. In fact, it is not now even a case of seeing bricks. I attended the opening of the extension to a primary school that borders the North Antrim and East Londonderry constituencies last week, and there was not a brick to be seen. It was a modular building. I am sure that the Minister of Education is watching the debate with bated breath, but I commend the Department for its use of modular buildings, as they provide quick delivery of a high-standard, high-class educational provision for our children. I think that that is a good example of how the process can at times deliver a very good outcome for us all.

At a time when the effective use of public sector works can play a key role in rejuvenating the construction industry, our poor performance in that area needs a radical overhaul. One has only to look at the rate of progress on existing schemes such as that at Lisanelly in Omagh to make that very point.

I want to conclude by commenting further on the issues that my colleague the Chair of the Regional Development Committee made about the spends following the decisions on the A5. The A26 has been and continues to be a priority. We should use whatever influence we can bring to bear on the Minister for Regional Development and his Executive colleagues. They must give serious consideration to ensuring that the process that they will use to disseminate and distribute the moneys that will come as a result of the A5 project ensures that they are filtered and find their way into the continued and speedy delivery of what is a key route for transport, tourist infrastructure and the general well-being of the people of Northern Ireland: particularly the A26.

I know that Members have other valid and valuable projects in their constituencies, and they have every right to lobby and raise concerns and issues around those. However, I would be failing in my duty as a public representative for North Antrim were I not to place on record in the House, yet again, that I believe the A26 is a worthwhile cause. It is long overdue, and I trust that the Minister for Regional Development will take the same keen interest in the issue as we know that the Finance Minister has. We look forward to seeing progress being made on that as this Budget Bill goes through its process.

**Mr Byrne:** I welcome the opportunity to take part in the debate.

A Budget process offers an opportunity to determine the direction of an economy, even a small regional economy such as the North of Ireland's. The question is what economic pathway is being pursued in the remit of the Budget by the Minister of Finance and economic Ministers in the Executive. Minister Foster recently opened an extension to the Omagh business complex worth £2.3 million, £1.8 million of which was very welcome grant aid from the Department of Enterprise, Trade and Investment (DETI). However, the economic background is one of recession and austerity in the public and private sectors. We still have a banking squeeze on business and personal

credit. The only finance available at the moment is what is quite often referred to as dirty finance — hire purchase (HP) or leasing finance — for plant and machinery. Thankfully, over the past 10 days, we have seen some new tractors, trailers and forage harvesters on the road; so somebody is availing of this sort of finance.

In terms of the Department of Agriculture and Rural Development (DARD), we have the single farm payment from Europe, which amounts to about £300 million per annum in total. That funding is crucial to the Northern Ireland economy. However, we also have infraction fines that are running at an accumulative value of about £100 million over the past five or six years. Even in the current financial year, millions are still being provided to meet EU infraction fines. The current CAP outcome is crucial for our farming sector, going forward. We hear some worrying signals, however, that the rural development budget will be reduced, particularly for the UK and the regions therein, including ours.

Here is a question, however: how well are we using rural development moneys in Northern Ireland to help develop small business enterprises? We need to finance more than just sporting and cultural projects. We still have a bovine TB problem in Northern Ireland. The eradication scheme that we have had is a largely failed project. Tens of millions have been spent on this eradication scheme over the past 40 years; yet, unfortunately, the incidence of bovine TB is higher than ever. Indeed, we have the highest incidence in the EU. In the current monitoring round, £12 million is being claimed to meet the cost in the 2013-14 year. We need to get to a better position, ideally to the disease-free status attained in Scotland. Who is creating the urgency in Northern Ireland to really tackle this problem?

The Agri-Food Strategy Board produced an excellent agrifood strategy report. Inherent in it is a target requirement of £400 million public investment to implement the strategy over the next three to five years. However, an effective implementation plan is crucial. A sum of £250 million has been pinpointed as a requirement for a farm business improvement scheme. It is crucial that DARD produces an outline of how that can be financed over the next three to four years. The question is this: what initiatives will DARD bring forward to ensure progressive implementation of the strategy in order to achieve the growth and development targets outlined by the Agri-Food and Biosciences Institute (AFBI) chairman, Mr Tony O'Neill?

#### 4.15 pm

The intensive farming sector for pigs and poultry has potential for growth, and we have the potential for managed growth. Moy Park has big development plans for the poultry industry, but there are two major problems: the issue of chicken waste disposal, and the need for banking finance to grow the sector. Moy Park recently intimated to me that it could double its operation in Northern Ireland, but that the biggest single limiting factor is the lack of business finance for farmers who want to become supplier agents to the company.

Turning to the A5 road money, it is alarming to see the number of MLAs who want to pick up that money and spread it all over the place. It was a major project that was outlined at the Hillsborough and St Andrews talks. Former Minister for Finance in the Republic, Mr Brian Cowen, kept it on the agenda and the former Taoiseach, Mr Ahern,

made sure that there was total agreement on it. It is a major national strategic project, and I certainly want to see it delivered. I would not want to see it being handicapped in the future. The question now, however, is this: what should happen to the £113 million that was earmarked for expenditure in the current year? What can be done with that money to boost the construction sector and improve infrastructure to help the regional economy? As Mr Spratt outlined earlier as Chairman of the Committee for Regional Development, DRD has a backlog of structural maintenance, which offers an avenue for immediate use of the money.

Most MLAs have cited pet projects in their constituency. I want to mention one that I have mentioned here before, which is what I call the umbilical cord road: the A32 between Enniskillen and Omagh. Given the review of public administration (RPA) and what we were told 10 years ago about a major acute hospital in Enniskillen, I hope that the A32 will not be forgotten. Why do I want to push that and other road projects? The answer is very simple: the construction industry is in the doldrums and I recognise that, as the Minister said yesterday, over 50% of construction activity is currently dependent on public sector projects. If we can give the construction industry a boost at this time by investing in public building projects through the reallocation of A5 moneys, I will support and welcome that. In west Tyrone, we are also waiting for the Omagh area hospital, which is crucial for health service provision but will also create construction employment locally.

Like the Minister, I am a humble economics graduate from Queen's in the mid-1970s. Recently, a book was written by a history teacher who teaches in Omagh Academy, Dr Russell Rees. That book states categorically that the last time Northern Ireland enjoyed a current account surplus in revenue was in 1931. The question we have to ask ourselves is this: what can we do to the regional economy to improve its performance? Is the subvention £8 billion, £10 billion, or, as Sinn Féin says, £4.5 billion per annum? The sooner we get into those figures and start tackling an economic plan that can realistically be developed, the better it will be for everyone.

**Mrs Dobson:** I welcome the opportunity to speak. I will keep my remarks fairly brief, which I am sure the Minister will be glad to hear. In my role as agriculture and rural development spokesperson for the Ulster Unionist Party, I will focus on a number of specific matters.

As has already been outlined, the Bill makes provision for the balance of cash and resources required to reflect the departmental spending plans in the 2013-14 Main Estimates.

Unfortunately, yet again, the Assembly is being asked to pass a Budget Bill with very little information from the Department. In fact, in so many cases, all we have are the headline figures. Once again, the DARD budget, as well as those for most other Departments, will pass through this House with very little debate on its specific details.

The first point that I would like to raise with the Minister is my annual gripe, which is that DARD has yet again thrown huge sums of money at trying to tackle bovine TB and is about to do it again for another year. The simple fact of the matter is that unless the Department really steps up to tackle the root cause of the problem, it is never going

to go away. Millions have been spent, but with very little impact on eradicating the disease. The fact remains that incidences of bovine TB are commonplace, and, in some areas, they are actually higher than they were in 1996.

I see from the Estimates that the veterinary service will receive a net total of just over £40 million this year, and I wonder how much of those costs are going to pay for what are avoidable diseases. I suppose that one welcome development since I spoke in this debate last year has been the announcement of the test and vaccinate or remove (TVR) programme. I will wait to see what impact that will have, if any, on the financial black hole that is DARD's bovine TB strategy, if, indeed, it can be called a strategy.

I note from the Estimates that there is also continued investment in the Northern Ireland Forest Service. Once again, I will make the call that my party believes that further use of the agency's assets is possible — and I do not mean solely from a recreational perspective. I believe that, with a little extra support, staff and encouragement, the agency could become even more economical.

Another crucial issue that is missing from the DARD and DETI Estimates — I am sure that the Finance Minister will correct me if I have missed something — is the absence of resources to help deliver even parts of the Going for Growth strategy. That action plan was released to great fanfare at the Balmoral show, but without resources being directed to it, it cannot ever achieve its targets. To quote from the document:

*“Ensuring the successful implementation of the Strategic Action Plan will require support from Government of around £400 million.”*

Although I would expect the Executive to be in a position to provide — sorry, I would not expect the Executive to be in a position to provide that level of resources up front. I think I was being slightly hopeful there. I believe that the wider agrifood industry deserves to know what level of support it is likely to get, if anything at all, so that it can begin to organise and plan for the future.

I would appreciate it if the Minister could give us a general update on that request for funds, either later this afternoon when he responds to the debate or perhaps in a couple of weeks' time when he announces the June monitoring round.

**Mr D McIlveen:** I, too, will seek to keep my remarks as brief as possible, as I fear that it may soon be just the Minister and I in the Chamber, and I want to avoid that at all costs.

As a member of the Finance and Personnel Committee, I support the Budget (No.2) Bill. Most of the comments that have been made today have been constructive and reasonably well tempered. Of course there are exceptions to that rule in all debates, and I was particularly concerned about some of the comments that were made by the Ulster Unionist Member for Mid Ulster. I agree with Mr Storey: we are in the real world and we know that, financially, times are difficult and that the block grant is consistently under pressure. We then, as an Assembly, have to be careful as to how that money is allocated locally. I am not insulted by the comments made, nor, I am sure, is the Minister of Enterprise, Trade and Investment. However, I expect that the people who will be insulted by them are those in

business who have put their hand in their pocket, even over the past six weeks, when they delivered over 1,000 jobs to Northern Ireland. Today, Almac announced 229 jobs. That is to be welcomed, and we should congratulate the company on the delivery of those jobs.

Let us look at the companies that announced a combined total of well in excess of 1,000 jobs in the past six weeks: Mango Marketing; Latens Systems; Greiner Packaging; Vello Systems; Galgorm Castle; Ballyrashane Creamery; Linden Foods; Deloitte; Pharmalink; Merchant Warehouse; Wrightbus; and Glen Dimplex.

We know that times are tough, but when we step up in the Assembly, we have to take on board the work that goes on behind the scenes. We must also take on board the work done and risk taken by the private sector to bring these jobs in. We have to be very careful to temper the language that we use because everyone in the Building is committed to the economy in Northern Ireland going from strength to strength. It is, I am sure, the topic at the front of all our minds, at constituency level and in the business that we do here. So I do not think that the remarks made about jobs being delivered on the ground were helpful. The whole tone was pessimistic and not helpful to the work that all of us are trying to do to rebalance and grow the Northern Ireland economy.

I want to relate most of my remarks to my membership of the Policing Board, so I will focus, just for a couple of minutes, on the Department of Justice budget, the details of which we have before us. It cannot go unnoticed that the provision being sought is nearly 8% lower than this time last year. We have to ask the question: where will that affect, and where will the money be taken from? I know that the Minister of Justice will not get a chance to respond to this debate. However, I think that the concerns have to be made public, and then, hopefully, an opportunity will be given for the Minister to respond in due course at an appropriate time.

It is inevitable that some of the 8% cut will fall on policing, which must concern us. An operational policing model is being consulted on, and I have real concerns that we will find some of our police officers, particularly those of senior rank at district level, in a position of having to choose, purely based on budgets, between response policing and neighbourhood policing. That would be a very unfortunate place to get to, and, therefore, I hope that the Minister of Justice, working within his means, will ensure that the PSNI is sufficiently resourced to meet its commitments at local level.

Taking that a step further, I would find it astonishing, if policing budgets were under pressure, for the Assembly to turn down something that was offered for free and would help policing. Whether we like it or not, in September of this year, the legislation under which the Serious Organised Crime Agency (SOCA) operates will cease to exist. We know for sure that, in England, Scotland and Wales, the National Crime Agency legislation will replace that. In Northern Ireland, it appears that, because of disagreement from a certain side of the House, that may not be the case. This is a time of stretched resources. Policing has made considerable gains in neighbourhood policing and community policing, which has been instrumental in building relationships between communities and the police that, let us face it, many of us would not have thought possible. It would be a travesty if we got to

a place where, as a result of cutting budgets, a lot of that work was undone. Therefore, when SOCA ceases to exist, we are going to have to replace it and plug the gap some way. If we are not going to replace it with the National Crime Agency, I throw the challenge out to Members on the Benches opposite to explain how we are going to plug that gap. Do we take it out of neighbourhood policing? I certainly hope not. Do we take it out of response policing? That is impossible; we need response policing to deal with the day-to-day crimes that take place in our Province. So, people need to think very carefully about the road that they go down regarding community policing and about their position on the National Crime Agency.

#### 4.30 pm

The next issue we have to be careful about on the justice side of things is the fantastic event that is happening in Fermanagh next week, which I hope we are all embracing as a good news story. It is going to cost money to make sure that it is secure, and a fair amount of the pressure from a budgetary point of view is going to fall upon the police. We have to make sure, and this is where I would encourage the Minister to use his Westminster role, that continued pressure is put upon Minister Alexander, who made some commitments last week that remuneration for the security costs would be made expediently, quickly and efficiently. I hope that that will be the case, and perhaps the Minister, in his role at Westminster, can continue to ensure that it is.

I am going to say no more than that. The debate has gone on for a considerable time, and there are still some Members who are down to speak. In concluding, I mention again the issue of equal pay: a resolution needs to be found between the DOJ and the PSNI in that regard. There needs to be a greater degree of —

**Mr Lunn:** Will the Member give way?

**Mr D McIlveen:** Yes; I will.

**Mr Lunn:** Would the Member not include DFP in that possible solution, given that it is the Department with responsibility for the issue?

**Mr D McIlveen:** I thank the Member for his intervention. It would not have come as any great surprise to him that I did not mention DFP at this stage, bearing in mind that the Minister has made his position on the matter pretty clear. There is a complex issue, and I do not think any Member, ministerial or non-ministerial, will be found wanting when it comes to wanting to find a resolution to it. Pensions and pay issues are complex; we know that. Therefore, we need to try to get to the bottom of what has gone wrong here and see how we can put it right, because there is a moral duty on us to try to find a resolution.

There is the issue of pensions around injury on duty as well, and members of the Policing Board in particular and Mr Lunn will know very well that there is a continued concern around how those who served this country valiantly, fearlessly and with tremendous dignity find themselves being treated regarding their pension provision around injury on duty. That it is something that we will need to continue to try to find a resolution to. I mention these things because they are all budgetary consequential. I have to say publicly that I hope that the Minister of Justice, within the provision that he has sought, has ensured that all those demands can be met.

I support the Budget Bill's passage.

**Mr Beggs:** First, I agree with the earlier comments of my colleague Leslie Cree that we have a financial process that is not fit for purpose for the Budget. We really must bring about improvement to give greater understanding, accountability and transparency around that financial process. I will highlight some of my dissatisfaction with the current process. There are a lot of detailed figures behind the Budget, and the numbers that make up the figures in the Budget are in the Northern Ireland Estimates 2013-14. I understand from the Business Office that it was placed there last Thursday or Friday. I was unaware that it was there. I am normally at the Assembly on Monday, Tuesday and Wednesday, and so I picked up my copy yesterday. I am on the Health Committee, and it does not meet again until Wednesday. So we have not had a chance to discuss any of the issues in it. I wonder whether the rest of the Committees have had a chance to discuss the issues in it. Yes, there is an issue of prioritising between Departments and also an issue of prioritising how that funding is being spent within Departments. I would have thought that any functioning Assembly should take constructive criticism and difficult decisions to Committees, and priorities from those Committees should be shared and, hopefully, adopted.

*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

As I mentioned earlier, business cases for decisions are very important to ensure that that money is spent well. When I was on the Finance Committee previously, the announcement was made that DARD was to move to the new site in Limavady. It might be perfectly logical; I do not know. At that time, I asked where the business case was, because if the proposal stacks up, the business case should show that it stacks up. I am unaware of its ever having been published. Similarly, as I indicated earlier in an intervention about the new health and care centres, I understand that the new centres for Lisburn and Newry have been approved by ministerial direction without business cases being presented and agreed. I am picking up comments that perhaps everything might not be as sweet as it might appear. Have all the GPs agreed to move into that new structure? What is the point of building that new building unless it will all work together effectively rather than creating a white elephant with ongoing costs to the public sector?

I will concentrate my comments on health because that is the Committee on which I serve and I have more information on that area. Everybody recognises that there are huge pressures on our health service, and that affects many people in the local community. We hear stories that people have gone with their loved one to Antrim hospital to find three ambulance crews inside the hospital who cannot go back out because their patients have not been handed over or that the corridor is full with other trolleys because of backing-up due to an unavailability of beds elsewhere. There are huge pressures on our nurses and doctors who work in that accident and emergency department and on those who work throughout our hospitals. I recently learned that the bed occupancy rate in Antrim Area Hospital is 95%. Some may think that that is very efficient, but the difficulty with that is that the optimum figure has been calculated as 85%, because you always want to have a bed available so that someone else who comes through the A&E system can be located at short notice so that

necessary cleaning and sterilisation can occur; and so that there is not an overburden on the staff. Let there be no doubt that there are huge pressures on our accident and emergency departments at present.

The four-hour waiting time is the critical judgement throughout the United Kingdom: that is, has an A&E achieved its target of treating 95% of patients within a four-hour period. Last autumn, the Health Committee heard from officials who chose to pick on the 12-hour waiting time figures. They told us that things are starting to turn round and look better. I took the trouble to look at some of the historical figures, and there was a clear pattern in that things tended to improve as you come to the summer period but that, in the winter period, winter pressures exist and waiting times worsen. We were being told that things were starting to get better, but that has not been the outcome. In major A&E units throughout Northern Ireland, there is a downward trend. The best performance in any one month had been going down for each of the past few years, and the worst performance in any month has been going down for each of the past few years. I was concerned about the somewhat relaxed approach from officials who appeared before the Committee. They told us that things were starting to get better, when clearly the trend did not show that. The published figures for March and April show the worst figures for A&E performance against the four-hour target in the past five years, such as the pressures in our hospitals and A&Es. Does the Budget assist and provide the necessary funds for improvement along with all the other planned changes? The Minister made a statement about those earlier today.

When I read the original 2011-15 Budget, I discovered that, several years ago, some £4.569 billion had been allocated for 2013-14. However, I notice that, in the latest Estimates, some £4.671 billion — an additional £102 million — had been allocated. I welcome those additional funds, but are they sufficient? Unfortunately, too many people have to wait more than 13 weeks, and some people have to wait more than 36 weeks to see a consultant. As I said, we have issues with our accident and emergency units. We need a range of improvements, such as increasing primary care provision to ensure not only better services but a better range of services, including GP-led services, whether in surgeries or through aftercare such as the Dalriada doctor-on-call service in my area. It is important that patients do not feel that they have no option but to appear at A&E and that more people can be effectively treated by other means in the community.

What are the additional budget pressures and priorities in the Department of Health, Social Services and Public Safety? When the presentation was made to the Health Committee, there was a letter from the Minister dated 24 May on his priorities for in-year monitoring in which significant pressures were indicated. Why, three months into a budget, is the Minister indicating significant pressures? Has sufficient money been allocated? When you drill down on what the Minister is saying, it becomes quite interesting. He and his Department have priorities that are not being met in the Department. In particular, under Transforming Your Care, there is a bid for £28 million. This is the flagship policy that we are all relying on to try to take pressure off our hospitals and accident and emergency units, and we are bidding for it in in-year monitoring. That concerns me. Will the £28 million be

available to meet the essential needs that have been identified? If not, what will happen?

#### 4.45 pm

There is a further bid of £26 million for the health service in the current year. Again, very early on in the year, the Minister is highlighting the difficulties that exist. In fact, he is saying that this money is needed or an additional 75,000 assessments or 22,000 treatments will not be completed this year. He estimates that that is what is needed above the core funding capacity in the budget. So, if we do not get that bid in the in-year monitoring, there will be a great deal more pressure on the budget. These services are critical to people who need assessment and treatment. Where assessment is concerned, we are talking about orthopaedic services, general surgery, gynaecology, ENT and oral surgery. An actual gap in treatment could arise in orthopaedics, cardiology, general surgery, chronic pain management and plastic surgery.

Again, I ask the questions: can we afford to allow all our waiting lists to extend by that amount? Are we funding the National Health Service in the best way? A bad use of money can happen when, at the end of every year, there is a sudden flood of money and some is thrown at problems. When that happens year on year, the question must be asked whether we would be better looking at the core budget and putting in regular, recurrent funding so that better treatment can occur in the health system. If we know that there is the pressure and we know that we can manage it better by taking that peak out of it and dealing with it in the public sector through the health service, surely that would be better. I recognise that the private sector has a role to play on occasions, but when, repeatedly, year in, year out, the same issue arises, the question should at least be asked: is this the most efficient way to run the health service, or should we be changing the baseline budget to better manage that service?

I see also in the Minister's current funding bid that £1.2 million has been set aside for health and social care and the Fire and Rescue Service during the G8 summit. I thought that the Foreign Office would pay for any additional pressures on services in Northern Ireland related to the G8. So, I pose the question: why is the Department of Health having to bid for money in the in-year monitoring? Will that money be recouped if additional pressures are applied and an argument can be stacked up justifying it? Why is the Foreign Office not providing for those additional resources and for the need that might exist?

One of the key policies in the change process that is under way in the health service is the introduction of integrated care partnerships. However, I have seen little information about whether there are sufficient funds or whether sufficient preparation has been made in governance arrangements so that those organisations can get moving and help to provide additional services in the primary care sector. The bid is also for service changes, voluntary redundancy, voluntary early retirements and general implementation of Transforming Your Care. So, there are some very substantial amounts of money in the in-year monitoring bid that, I would have thought, the Minister of Health would deem essential for addressing the huge pressures that exist there. Of course, at one point not so long ago, we were told that the health service does not

need any more money. I will leave that thought hanging so that those who said that can reflect on it.

It is clear that we need to do things better. We need to look at how we administer the money and how we can better provide services. We have to change, and there has to be funding to enable that change. I hope that the funding will be there to enable that change.

The other aspect of the June monitoring bid is that, on top of the current funding bids, there are significant capital bids for the health service. Again, there is £13.5 million for the implementation of Transforming Your Care and another £3.5 million for health and care centres to enable them to take on some more of the primary care work.

There is some money for enabling work at the children's hospital, including an energy centre, and £10 million to maintain existing services. To maintain existing services under the capital requirements, there is a bid in for £10 million. Therefore, the health service needs £10 million to maintain existing services. There is an interesting set of words here:

*"in areas of highest risk for staff and patients' service provision".*

I am not sure exactly what that means, but it gives me some concern that in-year monitoring is having to pay for maintaining existing services. I am assuming that that is for essential maintenance requirements. There is also £10 million for an ICT bid and a significant amount of money — £8 million — for equipment scanners. We are told that those are cardiac cath labs for the Royal at £3.5 million, a percutaneous coronary intervention (PCI) lab at £0.5 million on the Altnagelvin site, and others besides that. I understand that much of that funding is essential to Transforming Your Care — that flagship proposal. I go back to what I said earlier: why has that essential change not been built into our Budget so that we do not have to rely on in-year monitoring? It puts the health of our community and those who need assistance at very high risk.

There will also be changes in how our older population is looked after under Transforming Your Care. The current health policy is not to refer any new residents to the statutory residential care homes but to refer them primarily to domiciliary care. There are areas where sufficient alternatives are not available. For some, domiciliary care can be a very solitary experience, particularly if you have limited family and friends. Whether you are in hospital, residential care or supported housing, having access to family and friends is important for your well-being. It is also important to enable you to recover and improve from any ailment that you have had.

There has to be a review of the capital assets in each locality. Is that contained in the Budget? Where are the proposals to close residential care homes? Are there any alternatives? In Larne in my constituency, I have been made aware, first, that the alternative residential care in the private sector does not have the en suite bathrooms that apparently are the main driver for this, not that that is what the residents said was essential — the quality of care is what they consider essential. Secondly, many of the residential spaces in the private sector are shared rooms, so it is not a private en suite room but a shared room.

The third factor is perhaps the most interesting. I am told that the private sector rooms are full. Therefore, if you

shut down some of our residential care homes, there is currently no alternative. It was not that long ago that I learned of a constituent who tried to get their mother into Joymount House and ended up being referred to a home some 40 miles away before getting a location nearer to hand. It is important that there are alternatives locally, including residential care homes. It is also important that there is a range of service provision. It should not be just domiciliary care or residential care. Surely there is a range in between, and I think of sheltered housing. Is there suitable sheltered housing, and is there suitable supported housing where assistance will be at hand for those who need it? Thankfully, there is a firm plan to build a 36-bed unit at Greenisland House in my constituency. It will have 12 beds for people who require minor support, 12 beds for people who require medium support, and 12 beds for people who require higher dependency care. Following the announcement of the closure, there was little development in progressing the alternatives. There were discussions in the background, but there was no real development to move on and transfer ownership to a housing association to apply for the planning permission. Thankfully, within the past six months, that has occurred.

Also, until a year ago, that scheme was not even on the Housing Executive's capital build programme. Has the Department for Social Development's supported housing programme been scrutinised so that there is sufficient capital build to provide essential supported housing so that a range of options can be provided in each community? I have no doubt that there will be a range of needs. Some people may well return to their homes, with the support of family and friends, and integrate back into the community. That is good for them, and it may be what they want. Some may go into residential care, and others may use other areas of support, such as sheltered or supported housing.

This is also important for the health service with respect to efficiency. Someone has to call with those people and give them additional support in their own homes, but it would be much more efficient to have a number of people together in supported or sheltered housing units than to have care workers travelling considerable distances between visits. Efficiencies can be brought in, and more time can be spent meeting the needs of residents and engaging with them.

I would also like to talk briefly about primary school funding in the Budget. For many years, there have been announcements of new primary school funding, but you tend to find that an announcement is followed by a large gap, expectation is built up, and little is delivered. Essentially, you have joined a list.

I would like to highlight a number of primary schools in the east Antrim area where there are needs to be addressed. The majority of the classroom accommodation in Woodburn Primary School is made up of portable classrooms, along with an older school. High quality education is being provided there, it is well regarded by the community and the parents, and it is delivering a vital service, but, as yet, that need has not been recognised. A number of years ago, funding was made available to buy adjacent land and make that early provision, but, ultimately, we need a complete new school. Has that need been addressed in the Budget or by some alternative funding arrangement?

I am open to alternative funding arrangements, because we need to meet the needs of our children, provided that

the business case stacks up. It must stack up, and it must show that there are benefits by doing it that way. We do not want to simply borrow and borrow and build a millstone for the future. If the benefits stack up, we should be open to it.

In terms of the Islandmagee new school build, there has been talk of a new school on Islandmagee going back too many years. Originally, three schools on the island agreed to amalgamate, and it was a very difficult process to get agreement between each of the three groups of parents and governors, but it was agreed. There was then difficulty in getting a suitable location. Eventually, after a long, arduous process, planning permission was agreed and land was purchased. Unfortunately, it has been sitting for a number of years, and large numbers of young people have been passing by what will be the front gates of that school, because, as yet, it has not been built.

#### 5.00 pm

There is currently a consultation about possibly building a school for Islandmagee and the surrounding area. I can interpret the surrounding area only to mean Ballycarry. However, when you look at the village and ward of Ballycarry, some interesting facts emerge. In particular, as far as I can recall, the most recent Northern Ireland Statistics and Research Agency (NISRA) statistics indicate that 47 newborns arrived in that ward a short number of years ago. They will be coming through and clearly producing a sustainable number of children for any school. Therefore, I concur with the views of the local community of Islandmagee and Ballycarry that there is a sustainable future for a school at Islandmagee and a continuing school at Ballycarry. I hope that funding will be made available for that, and not some time over the horizon but within this Budget period.

It was announced that Corran Integrated Primary School was on the newbuild programme but does not yet have planning permission. I hope that that will progress shortly so that the children who are being educated in mobile classrooms will have a permanent building, be educated in a modern setting and be able to take their opportunities in optimum conditions. I also hope that the poor traffic flow in that area can be addressed. That, to a degree, is a health and safety issue, and it also affects residents.

I am sure that many other issues in this Budget period will require improvements. However, I go back to the issue of insufficient discussions in Committees and in the Assembly on the detail of the Budget. I sometimes wonder what is the benefit of this discussion. I suggest that we need a different process to ensure better understanding and so that improvements can be made where needed.

**Mr B McCrea:** I wondered why the Member for Mid Ulster did not hang around to rebut the attack by David McIlveen but I now realise that it was because she knew that Mr Beggs was going to speak for some considerable time.

At least Jim Allister turned up, and I welcome him to the Chamber. He is temporarily not here but — oh — how nice of him to make an appearance. It is amazing how these things work. Perhaps somebody will tweet it. Obviously, I cannot do that because I am speaking.

I really do wonder why the UUP and even the Alliance Party are going to vote for this Bill because they have done nothing but go through list after list of things that are

wrong, missing or should be done better. What does it take to get you to vote against something?

A brief review of Hansard, and listening to the debate for some time — I have been in the Chamber for a fair amount of it — will demonstrate to you that this process is a mess. What I hear and read is that people say, “We don’t know this and we don’t know that, but, you know what, we have no other option but to vote it through anyway.” Get the information and make a decision, or something else has to change.

I was taken by the brevity of the contributions yesterday, and I will try to act likewise today.

I went to the Business Office to see what discussions it was appropriate to have in this forum and was told that we could talk on some general economic points.

I guess that all of us here are familiar with but take no comfort in the financial trials of the Republic of Ireland, where economic activity has declined by some 11·5% from its peak. What perhaps is missed in this Chamber is that our performance in Northern Ireland is, arguably, even worse. We have suffered a decline from the peak of 11·9%, and that is significantly worse than the rest of the United Kingdom, at 6·2%. It is not just our businesses that have been affected. Ordinary citizens have been crushed by falling property prices, the increased cost of basic supplies, increased unemployment and all sorts of fears about welfare reform. That is an issue that, perhaps, this Budget ought to address. Property prices are now half of what they were at the peak of the market, and employment has fallen by 40,000, with a corresponding increase in claimants to 64,300. That represents an increase of 172%, which is much worse than the rest of the United Kingdom at 85%. You could be forgiven for thinking that things could hardly get worse, but I fear that they will. As a result of the poor performance of the UK economy, Westminster is seeking further savings from the welfare system, largely through below-inflation increases in benefits. Living standards in Northern Ireland, which are already substantially below those of the rest of the United Kingdom, will continue to fall in real terms and relative to the UK. In the previous decade, we were about 80%, measured by GDP, and we are now forecasting it to fall to 75%.

Yesterday, the Minister of Finance and Personnel, with his usual combination of wit and charm, attempted to tell us that things were not so bad. I think that he even mentioned that some of the banks’ economists are suggesting that we have turned the corner. I had a look in Hansard at some of the things he said. He talked about the increase in employee jobs during 2012 and about claimants, and he actually said:

*“The latest Bank of England forecasts paint a relatively optimistic and positive scenario for the UK”. — [Official Report, This Bound Volume, p8, col 2].*

I am rather surprised by that, because I have here the annual report from the economic advisory group, which advises the Executive. The Office for Budgetary Responsibility estimates that the UK economy will grow by 0·6% in 2013, the year in which this Bill applies, and 1·8% in 2014. That is down from earlier forecasts of 1·2%. So it is halved this year, and it is lower in the following year. I am, therefore, surprised that there is that optimism from

the Minister of Finance and Personnel, and the Bill ought to address those issues.

It is true that the claimant figure has fallen over the past three months, but I wonder — perhaps the Minister will shed some light on this; he referred to it in earlier statements — if that represents a real improvement in the economy or a statistical response to the £200 million economy and jobs initiative announced earlier in the year. That funding focused on providing training, skills and education to those out of work. That is absolutely the right thing to do, but will people on such schemes reduce the claimant count only for the duration of the scheme? When the money runs out, will they return to the claimant count? Are there real jobs for them to go to? Whilst long-term economic development is of strategic importance, it seems to me that the most pressing need for the Executive is to create jobs. I have said repeatedly and will say again that we are not doing enough to tackle unemployment, particularly youth unemployment. The chair of the economic advisory group has stated in the report, in very politically correct language, that the flags protest presented “a clear reminder” to politicians of the need:

*“to deliver an improved economic environment which can allow all members of society to become invested in the future of the region.”*

That is spelling it out that we need to do more to create jobs or we face civil unrest and further problems.

In its annual report, the EAG stated that it is unclear as to how the Executive have reprioritised their spending decisions in light of the more constrained economic climate and the increased emphasis on the economy. That is the Government’s economic advisory group telling the Executive that it does not see where they have addressed the issues that face the economy. If it does not see that and we do not have the information, it behoves the Minister of Finance and Personnel to explain what he is doing in the Budget to address the issues that his and the Executive’s advisers bring up. Furthermore, the EAG calls on the Executive to seek further ways to divert additional resources towards priority areas that support the delivery of their economic vision. We have not seen any such action. I would like the Minister to identify where it is.

I concur with the sentiments of the EAG in its very rational analysis. However, if I were to table an amendment to the Bill to address those issues, I would be asked, “Where is the money coming from? Which Department will you take the money from to increase spending on youth unemployment or unemployment itself?”. A reading of yesterday’s Hansard and listening to the debate on this Bill will demonstrate that every Department is under severe pressure. In fact, I heard Mr Beggs go through a litany of issues that have not been addressed in the Bill or in the figures. We have a real issue. Given the priority that the Executive have given to the economy, which is well stated, the announcement of the Building a United Community initiative and the encouragement — to use its word — of the economic advisory group, I have come to the conclusion that the Executive must be relying on substantial additional money to be provided from as yet undetermined external sources.

Yesterday, the Minister stated:

*“Over the coming months, there will be a number of critical public expenditure issues to be addressed with Treasury Ministers that will have a strategic impact on Northern Ireland.” — [Official Report, This Bound Volume, p8, col 2].*

What are those strategic initiatives? What are those decisions? Is there an implicit understanding that substantial additional funds — perhaps as much as Mr Bell’s £0.5 billion — will be provided by the UK Government? Can the Minister tell us whether that is the case? Further analysis of the figures appears to be redundant if additional sums not included in the Estimates or the Bill are to be found elsewhere. That is what everybody has been saying: there is a hole in the Budget. There is a commitment to do various activities, yet there does not appear to be the resources to deal with them.

The aim to reduce the number of NEETs by 10,000 would have a significant impact on the claimant level, but is it sustainable? That is the real issue. Can we actually tackle youth unemployment and unemployment in general? Do we have the resources? Do we have the will? In fact, when I read the EAG’s annual report, what it said was that it depends on whether there is ministerial ownership of the targets and whether Departments work together to actually tackle the issues. I cannot tell from the information put before me, and I ask the Minister directly to explain those issues.

I would like to put other issues connected with DETI and finance to the Minister of Finance and Personnel. The economic advisory group informs us that the biggest challenge facing the development of the economy appears to be access to finance. Twenty-five per cent of the people who were surveyed said that that was the number one problem. I am interested to see whether the Bill will address these issues.

### 5.15 pm

It is interesting that the second item that it wants to deal with is government red tape. I see no provision for dealing with red tape, the red tape that is throttling our businesses. The economic advisory group outlines a particular concern that UK national initiatives are not working effectively in Northern Ireland. In particular, few Northern Ireland banks have access to the funding for lending scheme. Only the Ulster Bank, as I understand it, is making use of it through RBS; the other banks are not making use of it for various reasons or are delayed in accessing it. How is that tackling the lack of economic growth, which the Bill should be dealing with?

There is also little awareness of the enterprise finance guarantee scheme and the Better Business Finance initiatives. What schemes will the Minister of Finance and Personnel bring forward that are appropriate to Northern Ireland? He says that he is dealing with these issues, but I do not see them addressed in the Estimates or the Bill.

Many of the underlying problems with access to finance in Northern Ireland revolve around the fact that there is a high level of property debt in what might otherwise be sound trading businesses. Perhaps the Minister will tell us how the Executive plan to deal with that issue. Those businesses are sound, can invest if given the money and

can move forward. I talked today to WhiteRock Capital Partners about how we get the loan guarantee scheme or whatever, but is £10 million out of a £50 million pot over five years sufficient? We need to do more.

I hear that there are proposals to establish a new business bank geared specifically towards lending to small business in the United Kingdom. Where is our part to play in that? Where is our bank that will lend to our small and medium-sized enterprises, which are the bedrock of our society and our enterprise? What will the Bill do to address those issues?

The EAG goes on to say:

*“There is also evidence of an under supply of equity finance”.*

That is particularly the case for new, high-growth start-up companies. That is an issue that we ought to address if we are serious about creating employment.

Finally, in his submission yesterday, the Minister rather casually said that he was looking for a “c”; there was some “c” missing. The “c” was for “competitive” — the Northern Ireland competitive index. Amongst other things, it reveals that, in a ranking from one to 142, the United Kingdom was eighth, Ireland had fallen to twenty-seventh and Northern Ireland was forty-second. So, when the Minister actually has a look at the competitive index for Northern Ireland, which his advisers brought together, can he tell me whether he thinks that it is appropriate and, if so, whether we are making progress?

The challenge for the Assembly, led by the Minister of Finance and Personnel, is to understand that there is really serious hurt in our society, people feel desperate, households are under pressure and there is concern about jobs and welfare. There are all sorts of pressures on every Department, but we do not have a coherent response to that. No matter how the Finance Minister dresses this up with his wisecracks and his little “Oh, it is OK; I will go and do this”, it does not take away from the fact that our economy is lagging behind the recovery in the rest of the United Kingdom. It was first into recession, and it will be last out of recession. We are not doing a good enough job, and the Bill does not address the issues.

I cannot form an opinion on the Bill because, like everybody else in the Chamber, I do not have sufficient information. This is a sham; it is going through the process of pretending that we will deal with the issues when we will not. So, I put this challenge to the Minister of Finance and Personnel, who normally does not bother to respond to me because he thinks that the way to go and do —

**Mr Wilson:** Because you are a fool.

**Mr B McCrea:** He thinks that the way to go and do politics —

**Mr Wilson:** Why? Because you are a fool.

**Mr B McCrea:** Mr Deputy Speaker, I am absolutely happy to take an intervention.

**Mr Deputy Speaker:** Order, please. The Member will resume his seat. I remind Members — that includes Ministers — that they should not shout across the Chamber. Continue, Mr McCrea.

**Mr Wilson:** He wanted me to respond to him.



**Mr B McCrea:** Sorry, Mr Deputy Speaker; I thought that the Minister was still in full flow there. I could have sworn for one minute that he wanted to carry on with his discussion about being a fool. We will see who is a fool.

This is mid-term for this Executive and Assembly, but there are challenges out there about who is doing what for the people of Northern Ireland. No amount of smoke and mirrors, no amount of bluster will turn this around if you cannot create jobs. Our unemployment is not responding to the things that we need it to respond to. It is your responsibility; you need to do something about it; and the Executive need to come together as one and tell us how they will address the problems facing the people of Northern Ireland.

**Mr Deputy Speaker:** I call Mr Jim Allister. I remind Members to make all remarks through the Chair, please. If a Member wishes to intervene, they can ask the Member to give way.

**Mr Allister:** Thank you, Mr Deputy Speaker. I am sure that I will struggle with the task, but it seems, after the last few minutes, that I might have to bring some decorum and level-headedness to the debate.

**Mr Wilson:** As you always do.

**Mr Allister:** As I always do. I will struggle to do the best I can in that regard.

I have to say that I think that Mr McCrea makes some valid points. He makes a valid point about the predictability of this entire process. By its nature, a Budget will have large elements that are entirely predictable, but, in truth, you could probably take the Budget of last year, tweak a few figures, take the speeches of last year and substitute them for today's — some might say that you would be able to do the same with mine, and maybe that is so — and, really, it would be hard to spot the difference. That is because the predictability around this process lies in the fact that we do not have, in this House, the mechanisms or the personnel motivated to challenge because of the consequence that all but a handful have the same vested interests of being in the Government to whom this Budget belongs.

The point has been made, correctly, that there are some in this debate who seek to ride two horses. There are some in the debate who seek to make valiant, even vigorous, criticisms, of this Budget, and yet it is their Budget because it is the Budget of the Government of which they are a part. Of course, if we did come to a Division, they would be among the first to troop loyally through the Ayes Lobby, setting in a particular context the validity, the sincerity and the strength of the criticisms that they make. Yes, those criticisms might read well in the local paper; they might touch a few buttons with people who think, "Yes, it is right to be exercised about that"; but put it to the test in this House, and you will find that the very people who make those criticisms will do nothing to implement them. They will be among those sustaining and retaining this Budget and this Government whose Budget it is. Those points made by Mr McCrea are particularly and properly made, and I join in endorsing them.

As to the predictability, the lines of this Budget are almost at one, year on year, apart from some tweaks of the figures. Some of the figures are for quite staggering amounts. A point that always occurs to me — I have made it before, and I will make it again — is this: where does

all this money come from? It comes from taxpayers. It comes from British taxpayers. It comes from people in this Province, but not just in this Province. It comes from people in other parts of the United Kingdom. One of the benefits of being a part of the United Kingdom is that we can draw down funding of the scale and nature — to the tune of more than £16.5 billion — that is manifested in the Budget. What would the figures be if those in the House who live in a fantasy world and aspire to a united Ireland had their way? What figures would there be for health, education, roads or anything, if that were the source of the finance? Happily, it is not; it is that solid reliable source that is the Union between Northern Ireland and Great Britain. Long may it continue.

I referred to predictability. Maybe it is a reflection of what a sad individual I am, but, when I read the fine print of schedules 1 and 2 relating to the Office of the First Minister and deputy First Minister — I cannot explain why my eye is always drawn to the Office of the First Minister and deputy First Minister — I was a little surprised to see that one of the groups that we are going to fund with the £48 million is the Northern Ireland Memorial Fund. Unless I am badly mistaken, the Northern Ireland Memorial Fund went out of existence at the end of the last financial year. Yet, we have a line in the Budget to support the Victims and Survivors Service and the Northern Ireland Memorial Fund. No doubt, there is a good explanation, but it escaped me in my reading of it.

I am less than impressed by the Victims and Survivors Service thus far in its allocation of funding. Over the coming weeks, it will become clear that there will be considerable disquiet over the comparative levels of funding allocated to innocent victims' groups and non-innocent victims' groups by the Victims and Survivors Service. Some of the letters of offer have been very generous to groups that, in my definition, are not victims' groups at all because they involve the victim makers and perpetrators. That is in contrast to the refusals of funding to genuine victims' groups. The Victims and Survivors Service is not covering itself in glory in that regard.

I was also disappointed today to receive an answer that indicates that there is an imbalance in the staff of the service. Of the 32 staff employed in the Victims and Survivors Service, 16 — 50% — come from the Catholic community, and only 11 come from the Protestant community, which is one third. Why should that be? I was also disappointed that answers received today from OFMDFM state that it is unable to give community background figures for the staff of the groups that it funds. We lavish huge amounts of money on the Pat Finucane Centre, Relatives for Justice and an endless list of groups such as those, and yet OFMDFM does not know and looks like it does not care what the community background is of the holders of posts that it funds. Why should that be? We live in a community in which there is supposed to be accountability for all those issues, but that seems not to be the case in that most sensitive area that pertains to what is called the Victims and Survivors Service. That is a matter of concern.

### 5.30 pm

Before I leave OFMDFM, let me say that I am, of course, not surprised but disappointed again to see the lavish funding for the Maze/Long Kesh project. If ever there was

a waste of £18 million of European money — our money, I might say, that has been recycled and returned to us — it is the funding on that project. It is going to blight that valuable site. It is going to blight it, because the truth, as was conceded last Friday when a group was taken around the Maze site by the First Minister and one Mr Jeffrey Donaldson, is that the price of getting anything on the 360 acres was to agree to the peace and reconciliation centre. That made the point that, as ever, the Sinn Féin veto drives that and many other agendas. That is why that project, if it is needed at all, has been placed not on a neutral site where it would be untarnished but on the most divisive site that you can find, which is at the Maze. The price of getting Balmoral Park and a food park and all the benefits that could flow from that was to agree to a peace and reconciliation centre. That, of course, underscores the tawdry nature of government in this part of the United Kingdom. If ever there was a waste of £18 million of European money, that is it.

In that context, it is interesting that the First Minister is reported to have told a 'Financial Times' journalist today that, although he is Eurosceptic — wait for it — he does not want the United Kingdom to leave the EU. Maybe that is not a surprise. It is a bit like saying that you are against the Belfast agreement but want to keep on operating it. Where have we seen that before? I have to say that, if one is Eurosceptic and does not want to tie oneself to the totally suffocating pressures and bureaucracy of the European Union, I am surprised at the reporting of such a comment.

**Mr Deputy Speaker:** Order. The Member will resume his seat. I encourage the Member to return to the Bill.

**Mr Allister:** If I must, but this was much more interesting, Mr Deputy Speaker. *[Laughter.]* Let me return to health. Of course, writ large through the Budget is the funding of what is grandly called Transforming Your Care. Maybe it would be more aptly called "Transferring Your Care". That seems to be the ethos of much of it. I think, in particular, of the care home saga that emerged in recent weeks and months. It is quite clear that the purpose of this Minister of Health and the Department under his guidance is to disengage the health service from care home provision. I think that that is wrong.

If we value the health service, and I hope that we all do, I believe that a portion of care home provision needs to be retained in that service. Otherwise, we invite the near calamity that occurred in GB when Southern Cross collapsed and 750 homes were under immediate threat and there was all sorts of scurrying around to find a solution to keep the roof over the heads of those who lived in those homes. To go down an exclusively privatised route for care homes is a retrograde step. Yes, there is a place for private care for those who wish to avail themselves of it. However, for the private sector to monopolise care homes is wrong. It will drive up prices and drive down standards, and the health service must retain care home provision.

I note, again from some answers received, that it has quite clearly been a stratagem to squeeze those homes out. That is why one such home — Pinewood in Ballymena — has not had a single admission of a full-time resident in five years. Yes, it takes people in for respite and intermediate care, and, as an aside, should state care homes close, I see no provision for where the respite and intermediate beds will be provided. State homes are being

run down to the point at which there is a handful of people in them, and Ministers will then step forward and say, "What can we do about it? They are not viable. They have to close." It is a stratagem of closure; closure by stealth is what we are seeing.

Not so long ago, when the previous Health Minister was apparently going down that road, there was uproar from the Benches of the Minister who is now going down the same road. There were public meetings — including one in Larne in the Finance Minister's constituency — where people gathered to protest the threat to a particular care home there. There was another such public meeting just recently because of the same threat, this time from the Health Minister. Not a single DUP representative came to express any concern at that meeting, because the policy has now been somersaulted on. What was a good stick with which to beat Mr McGimpsey is now a crutch to get them to the same point.

**Mr Deputy Speaker:** Order, please. I am sorry to remind the Member that he is once again focusing on a particular constituency issue, and the guidance is not to do that but to focus on the Bill. Continue.

**Mr Allister:** I would have thought that the issue of care homes is something that affects all constituencies, and, in the same breath, I think that I referred to one in north Antrim and one in east Antrim. However, I take your guidance.

Mr McIlveen seemed to take exception to some comments from another Member about the job provision figures. For years, we have had this sales pitch about the number of jobs promoted, which is very interesting and always far more impressive but not as informative as the number of jobs actually created. That is the real test. It is not about how many jobs you are promised by some inward investor to whom you promised millions in return. It is about how many jobs are created — not just how many are created but how many last. The Department of Enterprise, Trade and Investment (DETI) and Invest NI indicate that they are taking some steps towards revealing those sorts of figures. That is exactly the sort of information required to judge whether the inward investment programme is working. Otherwise, we can but judge it against the fact that, for all the announcements, unemployment is still rising.

We are still in the position of being one of the worst parts of the United Kingdom when it comes to unemployment levels. We are still in the position of being one of the worst parts of the United Kingdom when it comes to economic inactivity. Those statistics burden this Budget greatly with the amount that, in consequence, must go on benefits and is therefore not available for any other sort of spend.

I do not intend to speak much longer. I am sure that is good for all concerned, although I did notice, about an hour ago, that the Minister was looking very jaded with the debate. I hope that the last couple of interventions have at least got his attention. I suspect that they also got his wrath, and we will know that shortly. Why delay the moment any more?

**Mr Deputy Speaker:** I call Mrs Dolores Kelly. *[Interruption.]*

**Mrs D Kelly:** Leave the best wine until last, perhaps.

I am sure that the Finance Minister will share my concerns, and those of all Members of the House, about the financial probity and scandals that have emerged in recent days; for example, in the Housing Executive and, indeed, in

the north-west waste facility, where organised crime has moved into the waste disposal industry in a big way. We recognise that there are only 14 environmental crime officers in the Department of the Environment (DOE). In relation to the Bill and the previous reduction of resources in the Audit Office, will the Minister reconsider those reductions in light of the two scandals in recent days and build public confidence that we are shining a light into some very dark places and very dark practices?

On that matter, I want to be disassociated from the comments of Mr Allister on the amount spent on some victims' and survivors' groups. I want to pay tribute in particular to the Pat Finucane Centre and Relatives for Justice, which require that funding in order to stand up against the forces of the British establishment and the worst practices of the past so that we can begin to learn some of the truth of what happened.

As regards victims and survivors, and the amount of funding; is the Minister convinced that the way in which funding has been delivered is meeting the real needs of victims? I am very aware of the identified needs, and assessment has been made by the victims' commission and others. However, in my constituency, access to housing is one example. Having the surety of social housing to the end of their days is all that some victims actually want. They do not want to have to worry about where they are going to live. They want to live out the rest of their lives in confidence and with some degree of security. Is there any scope in how resources are allocated and in the criteria set? Can any of this be within the guidance of the Finance Minister?

Further, does the Finance Minister share my concerns about the non-delivery of the social investment fund? I understand that it has now moved across into Delivering Social Change. A recent question that I tabled revealed that almost £250,000 was spent on management fees but none on project delivery. Is the Minister confident that the business cases presented will stand up to scrutiny? Has he any concerns about what some call the 20% surcharge — or, as others call it, a management fee — that is given out, it would appear, to some favoured groups to deliver the projects, but not necessarily to those who came forward with the ideas?

I have to answer Mr Allister in relation to North/South bodies. I think we all know that they can deliver value for money if given the opportunities to do so. Indeed, there are economies of scale that can be delivered across the island of Ireland. The paediatric children's services are a case in point. That is a pragmatic example of where we can deliver best for people who need an urgent service at some of the worst and most distressful times of their lives.

There has been quite a lot of debate this afternoon. I do not want to add an awful lot more, except to ask the Finance Minister: in relation to the £600 million that is predicted to be taken out of the Northern Ireland economy via the welfare reforms, how does the Budget Bill address those very real concerns and experiences of ordinary citizens?

#### 5.45 pm

The Westminster Government recently made it possible for people to pay their rates over 12 months, rather than the 10-month period that applies in Northern Ireland. Does the Minister of Finance and Personnel have any plans to

introduce a system whereby people can pay by direct debit over 12 months to spread the cost a bit more?

**Mr Wilson (The Minister of Finance and Personnel):**

I thank Members for their contributions to the debate. In particular, since he asked for some acknowledgement, I thank Mr Allister, as well as Mr McCrea, for waking me from the doze into which I had been induced during the grand tour of every school, nursing home and pothole in east Antrim when Roy Beggs was speaking. That will be the last thing that I will appreciate hearing from them, but I appreciate that they woke me and got me interested in the debate again. I hope that I will be able to respond to them later on.

I will very quickly go through some of the points that Members made. I note that many of those who made contributions are, of course, no longer present in the Chamber; I may respond to their comments or I may not, depending on how we get on.

The Chairman of the Committee raised a number of points and talked about the importance of Committee scrutiny, as did a lot of other Members who talked about the passage of this Bill. Mr McCrea was very critical and said that the process was a sham because Members could not have any scrutiny of the Bill. Of course, if he was sitting watching the TV and tweeting on Twitter, as he was yesterday, he would not have had the opportunity to read through the documents and apprise himself of the details.

After the information goes to the Committee for Finance and Personnel, it is available from the Business Office for all Members. However, from the point of view of individual Committees, departmental Estimates should be available for their prior knowledge before the information goes to the Committee for Finance and Personnel. After that, it is available in its full form for all Members of the Assembly. I have no difficulty with scrutiny of the Budget. In fact, I think that that is essential, not only when the Budget is presented, but on an ongoing basis.

I will let the Member get in front of the TV cameras here. *[Laughter.]*

**Mr Bell:** Do you want me to speak for you? *[Laughter.]*

**Mr Wilson:** It is important that we not only have proper scrutiny of the Budget when it is presented but of ongoing savings delivery plans, etc, and Committees should look at bids that are made during the year.

Mr McKay also raised the issue of the memorandum of understanding on the Budget process. That is important, but we have to be careful that it does not restrict the Executive's timescale for the delivery of the Budget.

A number of Members talked about Transforming Your Care, the delivery of services and the closure of statutory residential homes. There is a misunderstanding. The whole idea of Transforming Your Care and addressing what will happen to residential homes was, first, to try to ensure that we had an arrangement in place — the Health Minister has emphasised this time and time again — that allowed people to stay in their homes as long as they could. That is, of course the aim and object of most families for their loved ones. It is the aim and objective of most people. I have yet to find a resident, a constituent or anyone in my family who actually wants to get into a nursing home.

People want to stay in the environment in which they are most comfortable. If we are to aim for that, there are consequences for the way in which care is delivered. That means greater resources must be made available to keep people at home and support them there. If that is the case, you need fewer residential places, but they should be of the highest possible standard. Many residential homes are old and require substantial capital investment. In today's debate, a number of Members from all parties — well, from most parties, anyway — have talked about how we could find additional resources. One way is through private sector provision, which makes sense if the strategy is to keep people at home for as long as possible and make sure that, if they need to go into residential care, it is of the best possible standard. So we need to make capital improvements to the existing care. If the private sector is prepared to provide that, it releases some of the burden on budgets so that money can be released to do other things. To me, that is a reasonable way forward. If Members actually thought about it and the public were properly informed, it could be regarded as a way forward.

Mr McKay also raised the issue of rural fire stations, and I understand that the Health Minister is looking at that, but projects will be dependent on the budget available to him. Mr McKay also raised the very important issue of public sector pensions. It is essential that we take the legislation forward. Fortunately, a paper was agreed by the Executive last week, which should allow the legislative process to start. We have to have the provision in place by 2015, which means that we need Royal Assent for the Bill by April 2014 to get the regulations through. Again, huge penalties will be imposed on the Assembly if we do not get the legislation through in time.

A number of Members raised the issue of the A26, which I dealt with yesterday when Mr Allister raised it. There is money from the A5 that has to be spent this year. The A26 scheme lies well beyond the 2013-14 financial year, and, therefore, any funding for that will be dependent on what the Executive decide on capital funding as a whole, the priorities that the Minister for Regional Development sets and the funding available in the next couple of financial years.

Mr Weir raised the issue of the £18 billion capital commitment. As a result of additional capital allocations made over the Budget period, the assurances that we have on the increased capital moneys that will be available after the current Budget period, and the fact that the Government will put more emphasis on capital spending, it looks more likely that we will achieve the £18 billion spend over the 2005-2017 period. Of course, there is still some uncertainty, but some of the gap has been closed.

Mr Weir also raised the issue of business rate support. I will come to this later, but Mr McCrea asked a lot of questions, without giving very many answers, about where in the Budget was the provision to support the economy. Here is one area in which the Executive have supported businesses across Northern Ireland at a time of recession and in a way and to a degree that has not happened in any other part of the United Kingdom. We have frozen local taxation for businesses. We have reduced rates for 50% of businesses by 20%. We have given new businesses an incentive to open in empty premises by giving them a rates reduction of 50%. Those are the kinds of measures that we have taken to support local businesses in the Budget. That means that we forgo the revenue that would

have come from those businesses, and we are talking about tens of millions of pounds' worth of revenue being left in the pockets of businesses to help them reduce their overheads at a time of economic recession. That has been welcomed by a whole range of business organisations across Northern Ireland. That is only one example, and I will come to other examples as I go through the response to the speeches that people have made.

Mr Weir asked about the fiscal position. Sinn Féin Members do not like to hear this, and Mr Allister reminded them of it in his speech, but the value of being a member of the United Kingdom is that, of the £18 billion that we have in the Budget, £10.5 billion comes from the Exchequer and is over and above the revenue raised in Northern Ireland. That is the value of being part of the United Kingdom. As a unionist and as someone who takes a realistic view of the importance of having measures to deal with economic problems in Northern Ireland, it is worth emphasising that point time and time again. I was glad that Mr Weir raised that issue.

Mr Bradley talked about the childcare strategy. The consultation that started on that in December 2013 has finished, the principles have been established, and I have been informed that an announcement by the OFMDFM Ministers is expected shortly. So, I cannot make any comment on the detail of that.

He also came back to the issue of revenue raising. He keeps repeating that there is £1.6 billion of additional money to be raised. That was not a commitment made by the Executive, and it was not a figure that was given by me. It was a figure that I admit was thrown out by the Member for South Down Catriona Ruane. If he wants to ask about the £1.6 billion, let him get an explanation from her. The figures that we have given —

**Mr D Bradley:** Will the Minister give way?

**Mr Wilson:** I will let you intervene in a minute.

I stated, and the Budget documents state, that, over the four years, £900 million would be raised in additional revenue. We have exceeded the target that we set for ourselves in the first two years. We set a target because some of those revenue streams would have taken some time to generate, but we have exceeded it and have raised £422 million. The Member is quite right that that leaves us with £478 million — at least his maths was correct — to raise, and that can be raised in the remaining Budget period.

**Mr D Bradley:** I thank the Minister for giving way. There was a figure of £1.6 billion mentioned at the beginning. When I questioned the Minister about that, he said that he had identified £862 million that he thought could be realised and that he was not including any proposals in the Budget that were not realistic. I was asking him about the £862 million. He explained to me yesterday that around £400 million of that had been realised, so I am asking him whether we are on course to realise the rest of the figure.

## 6.00 pm

**Mr Wilson:** As much as anyone can look into the future and say what will happen, yes, we are. We are ahead of the game at the moment, and the fact that we have exceeded our targets in the first two years gives me some confidence that the £900 million can be achieved. The

veracity of the answer that I have given to that question will be better understood in two years' time when we see the performance. However, the performance to date has been encouraging in that, even at a time when we have been in economic difficulties, we have raised more revenue than we expected during the first two years of the Budget.

He also raised, as did Mrs Overend, the issue of the £18 million that DETI was not able to draw down as EU funding, and he said that we will have to look for different ways of raising that. I gave an answer to that yesterday, and I cannot give any further information on it. We are looking at ways in which that money could be spent on alternative projects, and I hope that we will be in a position to update the Assembly in the June monitoring round. I cannot say what will be in the June monitoring round, but I am hopeful that we can make some announcements on that in the June monitoring round in a couple of weeks.

Mrs Overend raised a number of issues. She talked about the economic difficulties that we are in and the recession and said that the Budget is not strong enough to reverse that trend. I say to her and to Mr McCrea, who was at the same nonsense in his speech, that we are a regional economy and we are dealing with a global recession and worldwide banking crisis. I do not think that I, as Finance Minister, have ever claimed, nor would I ever be silly enough to claim, that, even though our Budget involves £18 billion of spend, it will ever be sufficient to reverse all the weight of the global economic pressures on an economy such as ours, especially an open economy that is, therefore, very susceptible to the fortunes of other parts of the world. Arlene Foster is making strident attempts to change the focus, but our economy is very dependent on trade with Europe, the Irish Republic and all those economies that have been particularly badly hit by the euro zone crisis, the banking crisis —

**Mr B McCrea:** Will the Member give way?

**Mr Wilson:** I will give way in a minute or two.

No one will pretend that this Budget is capable of reversing the trend. In the Budget, we have tried to look at how some spending and some redirection of spending can make a difference. I have given one example, and I will give more examples during this speech of what we have done with business rates and how many businesses have said that that has enabled them to start up in empty premises or enabled them to keep on going. I will give way.

**Mr B McCrea:** I appreciate the Minister giving way. He made the point that Northern Ireland is a small regional economy that is buffeted by the winds of the global economy. The Northern Ireland competitive index, which takes into account the issue that the Minister talked about yesterday, tries to address those issues. It puts us at forty-second, behind the United Kingdom at eighth and Ireland at twenty-seventh. Do you think that that is a good index and the right way for us to judge our competitiveness for the future, bearing in mind that that is advice from the Economic Advisory Group?

**Mr Wilson:** I do not have the detail of which index he is talking about. The index that he mentioned contains many different measures of how Northern Ireland compares with other regional economies in the world. Of course, we perform very highly in some areas and lower in others. All I can say to him is that we have sought to address many of the issues that businesses have brought to us. I have

already mentioned one of those, and I will come on to some of the other points that he made in his speech later.

Mrs Overend also raised the issue of the £18 million for the Titanic signature project, and I think that I have given an answer on that. I was a bit unclear about where she was on the case of alternative finance. It was unfortunate that she took an intervention from her colleague Mr Beggs because, on one hand, we were being encouraged, as other Members have encouraged us, to look at alternative financing, at alternative models and at how we can get the private sector involved. On the other hand, of course, as soon as we try to get the private sector involved, we are criticised for it.

**Mr Beggs:** Will the Minister give way?

**Mr Wilson:** I will give way in a moment or two. Let me just deal with the issue of private funding. Of course, the Health Minister has taken the decision to pilot two projects, in Newry and in Lisburn, using private finance. The issue of value for money is marginal on those and is why he has had to give a direction on the issue. I have supported him on giving that direction, because, unless we are prepared to look at some pilots and see how they work out, we will not know whether that is a particular way forward.

This is where I find the intervention from the Member for East Antrim most surprising. He has been campaigning for similar centres in Carrickfergus and Larne, and he knows full well that, if we are going to have to rely on traditional capital funding for those, the money will not be available for some time and we will have to look for money. Indeed, even some of the health professionals in the area have said that we should look at other ways of doing this. So, he cannot criticise the Health Minister for taking forward pilots that might actually benefit his constituency, on the one hand, and, on the other hand, say that he wants to have some of this in his constituency. It is one of these cases of wanting to have your cake and eat it. On the one hand, you advocate private finance and, on the other hand, as soon as you start going down that road, you try to find every hole in the argument to oppose it. I will give way to the Member, because I hope to get an explanation from him.

**Mr Beggs:** If the Minister were to look very carefully at what I said, he would know that I was arguing that there should be a clear business case and that it should be a transparent process. Will he not accept that one of the difficulties in this process is that there has been no business case? In fact, the Health Committee was told that no business case is available to date. So, if there is such a marginal issue, why has there not been transparency about it?

The other aspect that I would have thought could well affect the business case is that I am told that many of the GPs in Newry own their own property at present. Why, if there needs to be a pilot, is it not in somewhere such as Carrickfergus, where there is a publicly-owned health centre that is 1960s-based and is operating at perhaps two or three times the capacity it should be operating at and where, I would have thought, the business case would stand up?

**Mr Wilson:** Let us have this decision made. It really does not matter whether it stacks up or does not stack up. Provided it does not stack up in Carrickfergus, it is better than it not stacking up in Lisburn or Newry. This seems to be the argument that the Member is making.

The process has been clearly transparent. The Minister has made it quite clear that these are decisions that, strictly on value-for-money terms, would not go forward. That is why he has given a direction. The process is transparent enough there. The Minister has taken a risk, and he has done so because he wants to establish whether, once we see these things in operation, this is a model that could be used for the other health centres that he wants to spread across Northern Ireland. Of course, that would then help to deal with some of the issues that the Member raised about waiting time, etc, because the quicker that you can do a lot of the primary care and other small medical procedures in these health centres, the less pressure you put on traditional accident and emergency centres in hospitals.

That was the thinking behind it, and I think that it is worth highlighting the Ulster Unionist Party's confusion on alternative finance.

**Mrs Overend:** Will the Minister give way?

**Mr Wilson:** Since the Member raised the issue, I will give way.

**Mrs Overend:** Thank you, Minister. Let me clarify: I asked what ongoing active engagement there is with investors about alternative finance to bring inward investment and suchlike to Northern Ireland and whether he could give any examples.

**Mr Wilson:** A number of PFI schemes have been used in Northern Ireland. Unfortunately, in the current climate, the options for private finance are extremely limited, which I have said time and again in the Assembly. Many of those who wish to engage in private finance can do so only if they can raise money at very high interest rates, so the charges to us are much higher than you would expect. In some cases, when the scheme is seen by the Treasury as simply bringing money from the private sector in the form of direct loans to the Government, we lose that from the block grant, which is not to our advantage. Why would we take money out of the block grant, which we get for nothing, and replace it with private finance on which we have to pay interest? Those are some of the issues.

When money can be had for a scheme, it is sometimes very expensive. When loans are offered for capital schemes, the Treasury deems that that will score against the block grant, and we finish up paying interest and lose the capital that we would normally get from central government. That has made it very difficult to identify huge sources of private finance. The method that Edwin Poots used for the Newry and Lisburn health centres has been one way to experiment with private sources of finance to see if that might be a way to roll in some extra money in the future.

At least Mr Lunn told us at the very start that he was going to be negative, and I have to say that he lived up to his promise. Mr O'Loan, who used to epitomise negativity in the Assembly, is long gone. He was a master of negativity. However, Mr Lunn even exceeded Mr O'Loan's speeches. When he ran out of current things to be negative about, he started to delve into history. We went back to the Bangor railway and to Balmoral High School. The Balmoral High School issue was about 15 years ago, before the Assembly was even set up. He delved right back in to find examples, in his view, of public finance being used in a way in which it should not have been used.

Mr Lunn did raise a number of issues that I want to deal with. He talked about the RPA. What is happening with the RPA? Why the delay? Actually, there is no delay: we will have elections next year. The Executive have already tried to help the process along with additional funding of £47.8 million, some of which will go towards transition costs, which should encourage councils to get on with the work that they have to do before next year's elections. There is £30 million for rates convergence. We found that additional money, even at a time when there were pressures on the Budget. That is how seriously the RPA is being taken, and we are on track to achieve the objectives and the timescale that we set out.

Mr Lunn mentioned the building of a united community and the First Minister and deputy First Minister's proposals that were published in May. That was debated quite a lot yesterday. It is a high-level strategic document, and as happens with most proposals of that type, detailed work is now being done. The detailed costings are being worked out, and, if there are financial implications for this year, they will have to be dealt with either in monitoring rounds or by some other sources of finance being made available. When the Government were talking about the economic pact, we know that they linked some of what they were likely to do with what is done to promote the shared future. I am sure that they have that in mind as well, and, in their discussions with the Prime Minister, I am sure that they will draw attention to that issue.

#### 6.15 pm

He also raised the issue of the £18 million for the Housing Executive, as did Mrs Kelly, and he wanted to know what percentage of that was of the total budget. Given that the total maintenance budget over the period of the contract was £172 million, it represents about £10 million of that total budget. Of course, that has nothing to do with the fact that money has not been allocated to the Northern Ireland Audit Office, as Mrs Kelly suggested. In this year's Budget, the full amount of money that the Audit Office bid for has been allocated. Mr Kinahan accepted that yesterday. The Audit Office underspent its budget by 10% in the four previous years.

If Mrs Kelly is looking for some way to point her finger or someone to point her finger at, maybe she should bear in mind that the contracts that we are talking about started when a Member of her party was the Minister for Social Development. It then appears that the problem with waste disposal and the fraud occurred during the time when he was the Minister for the Environment. So if she is looking for somebody to ask questions of on this issue and on the allocation of finance to the Audit Office, she should maybe not ask me but have a conversation with her own party colleague.

**Mrs D Kelly:** Will the Minister give way?

**Mr Wilson:** I will certainly.

**Mrs D Kelly:** The Minister has been entirely disingenuous in his last comments. The Minister is very well aware that my party colleagues initiated investigations that uncovered the fraud. Indeed, when I spoke about resourcing the Audit Office, I was talking about the scale of those types of scandals. Can the Minister assure the House that there are sufficient resources to allow scrutiny across all Departments and arm's-length bodies? Minister, I think that

you were entirely wrong and mischievous in the extreme in your last comments.

**Mr Wilson:** I have never been called “mischievous” in the House before. I am sure that the Member knows that. I was simply making an observation that, if there are issues with waste fraud and maintenance overspends, the buck maybe rests with the Minister who was responsible when the contracts were signed or when the fraud occurred. Indeed, I would point out that one of the contracts that was signed over by her party colleague who was the Minister for Social Development at that time was to one of the firms that was named in the report yesterday. All I am saying is that, if questions are to be asked on this, make sure that they are asked of the right individual. As far as I am concerned, the Northern Ireland Audit Office has been allocated the funding that was required and that it asked for. It has underspent its funding in previous years.

Mr Spratt raised the issue of A5 funding. The Minister for Regional Development tabled a number of bids in the June monitoring round for projects. How the A5 money is allocated is not entirely up to me; it is up to the Executive as well. He also raised the issue of roads maintenance. If you look at the record of roads maintenance, you will see that we have spent record amounts on roads maintenance — £109 million in 2012-13 and £120 million in 2011-12.

He also raised the issue of the Translink deficit. PEDU is looking Translink, and it will carry out a further efficiency review. Once that review is completed, I hope that significant savings will be identified in Translink.

Mr Storey spoke about the maintenance backlog in schools. Some £37 million was committed to maintenance in the Budget in this financial year, and additional moneys are allocated when available to deal with the maintenance backlog. In fact, it is significant that part of last year's monitoring process led to an extra £10 million being made available for that. He also raised the issues of savings delivery plans and efficiency delivery plans. I have encouraged Ministers and Departments to co-operate with the presentation of the delivery plans and their scrutiny.

The changes to school funding were announced by the Minister today. Many Members have some concern about the small schools element, although I understand that the Minister has rejected that part of the proposals and will be bringing forward detailed proposals for consultation over the next number of weeks.

**Mr Lunn:** I thank the Minister for giving way. Mr Storey and I had an exchange of views about the ESA Bill, which is one of the long-delayed matters that I referred to in my speech, but the Minister has not responded on that point. Does he have any views about the delay with ESA and the financial implications of that?

**Mr Wilson:** As far as the financial implications of ESA are concerned, there were to be administrative savings as a result of having one education body to deal with schools rather than five education and library boards plus all the other bodies. Not only the financial implications but the powers of ESA and the structure of and safeguards for particular schools are important. I am not past the detail of the Bill, but I understand that the Committee made certain recommendations, which hopefully the Minister will have responded to. The reason that the Bill has not come back to the Assembly is that he knows that there is

still strong opposition to issues, and those issues have not been resolved.

I am keen to see the administrative savings, but I understand that the Bill will shape the structure of educational governance for years ahead. Therefore, we cannot deal with it flippantly. We also cannot afford to have it pushed through without the real issues, which I am sure many Members have been lobbied on by various school sectors, having been dealt with. All that I will say in response to the Member is that the issue is primarily between the Education Minister and those who listened to all the evidence while the Bill was being scrutinised and made certain recommendations. I hope that sense will prevail so that the Bill can finally come to the Assembly in a form that is acceptable and accepted. Then the process can be got on with.

**Mr Lunn:** Will the Minister give way?

**Mr Wilson:** Yes; I will.

**Mr Lunn:** It is really an issue between the Minister's party and Sinn Féin. That is where the ESA Bill rests at the moment. I know that there are political implications, and I have tried to avoid those today, but the administrative savings and the whole structure of education, in my humble opinion, are crumbling. I know that we are still managing to get good results somehow out of it, and that is a credit to the people who work in the system, as Mr Storey has often said.

The problem at the moment is that it is stuck in the Executive between the two major parties, and the other three parties do not know what is going on. It has been that way for two months. The Education Committee did not so much put forward proposals on the important issues as find itself not able to reach a consensus on them because of differences in the interpretation of the so-called heads of agreement.

**Mr Wilson:** I am surprised that you have not called us to order, Mr Deputy Speaker, because this is not particularly relevant to the Budget (No. 2) Bill. However, I will say that it is not just an issue between the DUP and Sinn Féin. I have also heard significant criticism from the Ulster Unionists, the SDLP and your party. Therefore, it is not just an issue between this party and Sinn Féin.

Mr Byrne spoke about access to finance. I agree with him that it is a critical issue. Funds have already been made available through the business growth fund and other funds through the Department of Enterprise, Trade and Investment.

I understand that Arlene Foster is developing similar schemes and will be applying for funding for some of them. I mentioned one yesterday with the agrifood industry where it is hoped that the Executive will be able to make some provision for giving access to funds and encouraging banks to release funds to supplement what the Executive do to help that important sector of the economy to grow.

He raised the issue of the A2 at Enniskillen. I am not aware of all the details but I was informed that road schemes were recently undertaken around Enniskillen, including the realignment and widening of the A32 Shannaragh Road, as part of the works to improve travelling time between Omagh and Enniskillen. That will improve access to the new hospital as well. The last time I was down, they were doing a lot of resurfacing along the main road to Belfast,

too, which, hopefully, will at least make the journey a bit smoother.

**Mr Byrne:** I thank the Minister for giving way. He referred earlier to the restrictions and difficulties of trying to raise external finance for here. Is any serious thought being given to having some sort of Northern Ireland government bond, given that the savings ratio is so high generally in the community and interest rates have never been more beneficial for those who may create such a bond?

**Mr Wilson:** I referred to that in response to Mrs Overend's point. Raising money through a Northern Ireland government bond would only displace money that comes from Westminster. We would be paying interest on it, whereas we get capital money for nothing from Westminster. Treasury rules make it difficult for us to raise money in that way.

One method available to us is RRI borrowing, which we use to the full. When we use it, we have to bear in mind that it has implications for revenue in future years because of the servicing of the loans. We could ask for additional borrowing powers. I do not know what the Government's response would be, but those would score against total UK borrowing at a time when the Government are trying to get borrowing down. They would probably be reluctant to look at that. That is a similar way of raising the money but it has implications for revenue spending.

Mr McIlveen raised the issue of the economic conditions and outlook. Mr Allister and Mr McCrea tried to rubbish the job promotion that is going on, and Mrs Overend raised questions about it. Substantial new job announcements have been made by the Minister of Enterprise, Trade and Investment over the past number of months. Some are with brand new investors. Some are with investors who came here and showed their confidence in the economy by increasing their employee numbers. For example, Allstate came, saw what was available in Northern Ireland, employed hundreds of people, and has now given an indication of its confidence in the economy by increasing its investment. That is as a result of the hard work done by Invest Northern Ireland, and by the Minister who has been tireless in her promotion of Northern Ireland.

Mr McIlveen and a number of others raised the issue of resources for the G8 summit. We have secured agreements from the Chief Secretary to the Treasury on the contribution that it will make towards security costs. Those costs are not yet fully defined and there is still an ongoing conversation. However, the one thing that has been clear in the conversation is a recognition that this is not a Northern Ireland event and should, therefore, be funded primarily by resources from the Treasury.

### 6.30 pm

Mr Beggs gave us a tour of east Antrim and the various problems faced there. Schools, nursing homes — nothing escaped — as he held us, riveted, on the details of the problems that that constituency faces. Of course, I am well aware of the problems, as one of the Members for the area.

He raised the issue of the Estimates being scrutinised by Committees. As I pointed out, although a combined Estimate was not available until 29 May, individual Departments should have been making available their Estimates for scrutiny by their Committee, so the type of detail that he wanted should have been available. If that is

not happening, I am sure that Committees and he himself can be assertive in demanding that type of information from Ministers.

He also raised the issue of accident and emergency provision. There are, on average, 59,000 attendances at emergency departments every month and 10,000 admissions to hospital from those departments. I acknowledge, because I hear from constituents as well, the length of waiting times and the conditions in which people wait, but the situation has improved. From January to March 2012, there were 4,017 breaches of the 12-hour waiting time. By this year, that figure was down to 2,360 breaches. He pointed out something that I am sure we will all be aware of when he said that A&E attendance seems to peak in the winter and drop during the summer. There are very good reasons for that. I hope that I do not have to explain those to him.

Of course, we have made additional funding available to the health service. In fact, I was not too sure where he was coming from. One minute, he was lamenting the fact that there were not enough resources and, the next, he was accepting that, even from the Budget position in 2011, we had increased resources available in the core health budget by £200 million, plus all the additional funding that has been provided in the various monitoring rounds. The Minister has made further bids. Mr Beggs seemed to lament the fact that certain things had to be bid for in monitoring rounds, as if that should not happen and it should all be part of the core budget. You could say that about almost anything that emerges in monitoring rounds. Monitoring rounds allow bids for additional money to try to deal with additional pressures that emerge or which are anticipated. To say that we should not make those provisions or have to make applications in monitoring rounds is a failure to understand how the process works. If moneys become available from Departments, of course other Ministers will say, "I have a priority. I am spending so much money on it at present, and I could spend more money on it if I had it. I will make a bid for it." That, to me, is not a system that is broken; it is a system that is working and showing flexibility. I would have thought that, by this stage, he would at least have understood that.

I come now to Mr McCrea. After being upbraided by Mr Allister yesterday, I am glad that he attended at least most of the debate. His attention span did not quite stretch to the whole debate, but he attended most of the debate today. I suppose that that is an improvement on the record of the new opposition party from yesterday. I listened to him when he said that he did not want any bluster or rhetoric from me. Maybe he should take a lesson in that himself. He is concerned about a lot of things, and I counted how many times he asked, "What are you going to do about this?" The Hansard report may prove me wrong tomorrow, but I thought that I counted that question 14 times. That is fair enough. It is a reasonable question to ask but I think that if you are going to criticise the Executive for not doing things and for not having ideas, maybe you could give us just one little suggestion as to what could be done. He spoke for 20 minutes and 27 seconds. At least I was able to stay awake for his 20 minutes and 27 seconds. *[Laughter.]*

In the full 20 minutes and 27 seconds that he spoke, I did not get one idea. I got lots of questions — "What are you going to do? What have you done? Where is it in



the Budget?" — but not one indication of what he would suggest.

The Member expects the Budget to deal with the fall in property prices. They have fallen by 55%, I think, since their peak. What is the Budget going to do about this? What does he want us to do? Push the property prices back up again to the point at which people who wanted to buy a house were facing house prices of 11 and a half times the average salary: is that what he wants the Budget to do?

**Mr B McCrea:** Will the Member give way?

**Mr Wilson:** Let me just finish some of the other points.

What are we doing to create jobs? The Member made not one suggestion on what could be done to create jobs. Indeed, he ignored the fact that at least 1,000 jobs have been announced by the Minister of Enterprise, Trade and Investment in the past six weeks. What is being done to address the deplorable state of the economy, which has people quivering in their shoes at the prospect of what will happen? Let me give some indications of what is in the Budget to deal with youth unemployment. There is the allocation of record amounts of money for training, especially for young people, on top of money that was given in monitoring rounds last year. There is the money that is being spent on job promotion. We are on course to reach the target of 25,000 new jobs over the four years of the Budget. There is the money that has gone on infrastructure. As one Member pointed out, we are now responsible for 55% of construction jobs in Northern Ireland. There is the money that has gone into starter homes and housing through the Co-ownership Housing Association, which will enable 1,500 people to purchase a new home. It has led to over 50% of the new houses that are being built in Northern Ireland being sold through the Co-ownership Housing Association. Builders tell me that that is the lifeline that has been thrown to them by the Executive when it has been difficult in the private sector market.

There is the record capital spending on roads maintenance, which has been recognised by the industry — the Quarry Products Association and others — as a lifeline that has been thrown to it. There is the record investment in tourism infrastructure as a result of two signature projects, which has led to tourist numbers being up by 30% and nearly 900,000 people going through the Titanic signature project in the centre of Belfast, with all of the attendant impact that that has on the hospitality industry. What are we doing to help the economy? What is the Budget doing to help the economy through the recession? Those are some of the things that money is being spent on.

This bland dismissal that there is nothing in this that helps the economy goes against everything that all the lobby organisations are saying. They actually now recognise that there have been serious attempts in the Budget to help the economy through the recession, albeit, as I said in qualification to Mrs Overend, that we cannot kick against or totally row against the prevailing international economic situation, which, of course, will have an impact on an open economy such as ours.

**Mrs Overend:** Will the Minister give way?

**Mr Wilson:** I will give way.

**Mr B McCrea:** I had asked the Minister to give way.

**Mrs Overend:** Sorry. Excuse me.

**Mr Hamilton:** Ladies first, Basil.

**Mr Wilson:** Be a gentleman.

**Mrs Overend:** We are talking about generalities. I asked the Minister about the £200 million that was coming though for infrastructure from the Barnett consequentials. Maybe he would like to clarify that now. Does he have further details on that?

**Mr Wilson:** In fact, I should have come to that point in responding to you.

As a result of the Barnett consequentials, money is spread over and allocated for specific years. We do not get it allocated to us and decide to spend it all in one year. We have had money allocated for this year. I cannot remember the figure off the top of my head, so I will not give it. It would be on the record then, and somebody would pull me up for getting it wrong. However, on average, there is, I think, around £50 million over these two years. That money will be allocated during the June monitoring process and further monitoring periods. A lot of it, of course, is to be used for financial transactions, so a load will be used for loans or equity funding. It cannot be used for straight capital projects carried out by Departments. The detail of that will roll out over the next two years, as Treasury has said that that is when the money will be spent. I suppose that there will be some announcements; in fact, I know that there will be some announcements about that in the June monitoring round that is to follow in a couple of weeks' time.

I will give way to the Member.

**Mr B McCrea:** I appreciate the Minister giving way. He rather surprised me by saying that it is not right to ask questions. I would have thought that he, as the man with all the answers, would have been able to provide them. I want to draw his attention to the EAG work programme to see whether he agrees with it. It states:

*"The EAG welcomes the priority directed toward the economy but highlights that only when measures are fully and successfully implemented will the economic situation improve."*

It also:

*"stresses that ownership, both at Ministerial level and senior civil service level ... is necessary to ensure delivery."*

It goes on to say:

*"employment creation, rebuilding in the short ... term, is essential".*

There is a list of 13 recommendations here from some very learned people. They ask whether you will do something about the banks, about property and so forth. So, some of those questions are already in the public domain. All I was saying is that I would be happy to hear if the Minister was addressing those issues, which have been brought forward by the people advising his colleague, the Minister of Enterprise, Trade and Investment.

**Mr Wilson:** He should listen to the language that he was reading: "It is only when we see the results" — the results of what? The results of the actions that are

being taken? He said that there is nothing in the Budget. Results can only result from actions that are being taken. "Take ownership" — ownership of what? Ownership of issues that are already in the programme and which we are dealing with? Of course, the end product of the effectiveness of the measure will be when we see the outcomes.

All I am saying is that — I have given some examples of the outcomes — we have taken decisions, and those decisions have resulted in jobs being created, the construction industry being supported, businesses having their overheads reduced, and infrastructure being provided that has brought in additional tourists. So, not only have we done things, we have seen the results of that. Of course, Ministers have taken ownership, because they have driven them forward, sometimes — I will say this — in the face of opposition from the negative people in and outside the Assembly. That has to be recognised. He is right to ask questions, but, as I pointed out, if he wants to have some policies implemented, you would at least expect him to have some suggestions. I am not even asking him for a whole pile of suggestions; I am just asking him to give us one or two. We have not heard any.

The Member asked what the Budget was doing about banking. He knows that the Budget is not about banking; it is about how we spend the resources available to us. He also knows or should know, if he has done his homework, that banking is not even a devolved issue. He asked whether we will set up our own business bank: we do not have the ability to set up our own business bank. The business bank is a UK-wide bank. We have, of course, already made representations to Treasury to make sure that the business bank operates in Northern Ireland and provides funding.

**Mr B McCrea:** Will the Minister give way?

**Mr Wilson:** No.

**Mr B McCrea:** Just one.

**Mr Wilson:** Just one. If we get an idea from him, I will give way, and then I will finish up.

**Mr B McCrea:** I just want to point something concrete out to you, Minister. It says that the EAG:

*"recommend that DFP"*

— that, I suspect, is you —

*"and DETI engage with those responsible for developing proposals for a new business bank to support the proposals and to ensure that its design is appropriate and relevant to the needs of small businesses in Northern Ireland."*

You cannot say that we should not have something. We need a bank that will finance our small and medium enterprises so that we can create jobs. I do not understand why we cannot agree that this would be a good thing.

**Mr Wilson:** This is the problem: sometimes, he does not attend, so he does not know; sometimes, he attends and does not listen, so he does not know; and, sometimes, he does not understand, so he will never know. At least he has attended this time, so he cannot say that the question he asked is a result of not having been in the room. Maybe he does not listen or does not understand. What am I just

after saying? It is like having a bad pupil at the back of the room. What am I just after saying?

**6.45 pm**

**Mr Deputy Speaker:** Order, Minister. Could I be helpful and remind you and other Members that we are now in the process of summing up the debate. I am concerned that we have reopened the debate, and I am sure that no Member here wants that. I ask the Minister to continue his summing up.

**Mr Wilson:** I will make it clear, and I will say it in simple words. Last week, I met the Minister in London to discuss banking. During those discussions, I raised the issue of a business bank, which has been set up — I hope I am speaking slowly enough — by the Government at Westminster. The issue of whether that business bank would operate in Northern Ireland was raised. The importance of that business bank making loans available to businesses in Northern Ireland was emphasised because of the dysfunctional banking structure that we have. We do not have the power to set up a business bank of our own, but we have made and will continue to make representations to the Government at Westminster for the business bank to operate fully in Northern Ireland and to make loans available to businesses in Northern Ireland to try to overcome some of the problems that we have with existing banks. I hope that is clear enough.

I will quickly refer to the points that Mr Allister made. He should have known better, but I know that his eye is always drawn to the accounts of OFMDFM. I know that he has got a bit of an obsession with OFMDFM. He thought, "Ha! I have got them". I do not know whether he thought it was fraud or what, but he saw a line for the Northern Ireland Memorial Fund, which no longer exists. He is wondering where this money is going. Has he unearthed a new scandal? Now, Mr Allister should know — I am sure he has been involved with businesses closing down and other situations such as that — that, when an operation is closed down, there will always be some residual bills, issues and whatnot to be dealt with. I am sorry to disappoint him, because I am sure that he thought he was on to a great wee story here, but the line in the Budget was simply to deal with the outstanding issues that may or may not arise as a result of bills not yet having been paid by the Northern Ireland Memorial Fund. If that money is not required, of course it will have to be surrendered. It is probably de minimis; it can probably be moved within OFMDFM at some later date.

The Member also raised the issue of the Maze site again. I think that I dealt with that yesterday. It is a great site. It has great employment potential, and the full extent of it will have an immense impact on that part of the Northern Ireland economy. It has clearly been seen as a neutral site; people in their tens of thousands attended the Balmoral show there and enjoyed it. I think that the predictions that he has made about the location of the peace and reconciliation centre at the Maze will prove, with hindsight, to be as spurious as the claims that were made when he predicted what would happen when policing and justice was devolved to Northern Ireland. There is not a whimper about it now, of course. I think that, in four or five years' time, people will look back and wonder what the fuss was all about. He mentioned the location of the centre. Of course, in any coalition, there will always have to be

arrangements made to satisfy all parties. Arrangements have also been made to satisfy the concerns of the unionist community. That is why the structure of the board is the way it is. That is why the ability of the board to decide what happens on the site is the way it is. I suspect that Sinn Féin had to make that compromise to facilitate the concerns of unionists. However, we miss the point if we keep on being obsessed with one aspect of what is a very big site.

I have dealt with Transforming Your Care and the job provisions. The Member is wrong to say that unemployment is still rising. The claimant count is not rising and has not risen since December last year. That is a small indication — only a small indication, I accept — of the improvement in the economy.

Mrs Kelly raised the issue of the non-delivery of the social investment fund. You cannot win on this issue. When the social investment fund was set up — I remember it because I was taking the Budget debate through the Assembly — the accusation from the SDLP was that it was some dirty deal that had been done with Sinn Féin to make sure that money was given to all the paramilitary groups all over the country with no accountability or anything else. When you spend two years putting in place governance structures to ensure that good projects come forward; that they are properly scrutinised; that they have local relevance; that local people, who know the groups applying and know the significance of the projects and the impact that the projects will have on their area, do the first sift in scrutiny; and then they come back to the Department and have to go through business cases, you are criticised for the length of time it takes. Either she wanted the money put out the door to paramilitaries or she wanted proper accountability to make sure that they were good projects. I have seen some of the ones in my area. I am pleased with the result. I want to see the money spent; I am sure that OFMDFM does likewise. There are good news stories, so why would we want to hold on to the money? It has to be done. This fund, especially because of the criticism that was levelled at it, has to be seen to be squeaky clean. I hope that, once the decisions get under way, the Member will be pleased with its impact on some of the difficult areas in her constituency.

I thank Members for their contributions to the debate. I am sorry that I took so long in responding. I recommend the Budget Bill to the Assembly.

*Question put.*

*The Assembly divided:*

*Ayes 52; Noes 4.*

## **AYES**

### **Nationalist**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Eastwood, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

### **Unionist**

*Mr Anderson, Mr Bell, Mr Clarke, Mr Dunne, Mr Frew, Mr Girvan, Mr Hamilton, Mr Irwin, Mr McCausland, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr G Robinson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

### **Other**

*Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr McCarthy.*

*Tellers for the Ayes: Mr Anderson and Mr G Robinson.*

## **NOES**

### **Unionist**

*Mr Allister, Mr McCallister, Mr B McCrea, Mr McNarry.*

*Tellers for the Noes: Mr McCallister and Mr B McCrea.*

<i>Total Votes</i>	<i>56</i>	<i>Total Ayes</i>	<i>52</i>	<i>[92.9%]</i>
<i>Nationalist Votes</i>	<i>26</i>	<i>Nationalist Ayes</i>	<i>26</i>	<i>[100.0%]</i>
<i>Unionist Votes</i>	<i>23</i>	<i>Unionist Ayes</i>	<i>19</i>	<i>[82.6%]</i>
<i>Other Votes</i>	<i>7</i>	<i>Other Ayes</i>	<i>7</i>	<i>[100.0%]</i>

*The following Members voted in both Lobbies and are therefore not counted in the result: Mr Beggs, Mr Cree, Mr Elliott, Mr Nesbitt, Mrs Overend, Mr Swann.*

*Question accordingly agreed to.*

*Resolved (with cross-community support):*

*That the Second Stage of the Budget (No. 2) Bill [NIA 21/11-15] be agreed.*

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

## **Carrier Bags Bill: Second Stage**

**Mr Attwood (The Minister of the Environment):** I beg to move

*That the Second Stage of the Carrier Bags Bill [NIA 20/11-15] be agreed.*

I aim to give Members a brief overview of a brief Bill with a big impact and the context in which it has been introduced. I will also summarise its purpose and comment on some of its key features. Members will be aware that I have taken a phased approach to the implementation of carrier bag charging. On 8 April, I introduced a 5p levy on single-use carrier bags. The proceeds from the levy will be forwarded to the Department and, after the discharge of internal costs, used to help fund environmental projects.

On the whole, the levy has been well received by consumers and retailers, and, indicatively, compliance levels are high. In my view, the levy that was introduced in April only caught up with the public mood to try to identify ways and means in which individuals and others can contribute to dealing with the issue of waste and the broader issues of climate change. I think that the public mood was very much in tune with the carrier bag levy, and that is one of the reasons why I think there has been a warm welcome, by and large, for the levy. Moreover, because of the experience in the rest of Ireland, with the introduction of the levy there for single-use plastic bags, we were more prepared for the introduction of the levy than we might otherwise have been.

As of today, no validated statistics are available, but early indications are that the target reduction of 80% is within our reach. That should bring real and sustained benefits to our natural environment, including reduced carbon emissions, reduced air and water pollution and reduced litter in public spaces.

The Carrier Bags Bill now provides for the second phase of charging arrangements. Its principal purpose is to allow carrier bag charging to be applied to a wider variety of carrier bags and to enable those bags to be defined by reference to their price. The Bill achieves that by means of amendments to the Climate Change Act 2008 that are specific to the North.

In practice, I intend to use the powers conferred by the Bill to make regulations that will apply the levy to the cheaper versions of reusable bags as well as to single-use bags. This is because cheap, reusable carrier bags can now be bought for as little as 5p. If the levy did not apply to those bags, customers might simply treat them as throwaway bags and use them only once. That would have significant adverse environmental impacts, because those bags are usually thicker and heavier and take longer to degrade than single-use bags.

The Bill will assert firmly that its purpose, and that of the levy, is environmental, and if that is the ambition and purpose of the law, its effect should be to capture those bags that carry environmental risk, including low-cost, reusable bags. That is the purpose and scope of the Bill. If we did not go for the reusable, low-cost bags, we would risk defeating the environmental ambitions of the original legislation.

The Bill also makes a number of other changes to current charging arrangements. With that in mind, I want to turn to its key features, the first of which is the power to define carrier bags by price. I intend, in the fullness of time, to establish a price threshold to be defined in statute as the cost of a carrier bag without the carrier bag levy. Bags that are priced above the threshold will be exempt from the levy; any bags that cost less than the threshold will be deemed to be low-cost and, therefore, liable for the levy.

That approach is consistent with that which was taken in Ireland for the charge on plastic bags. I should also add that retailers will still be able to operate a bag-for-life policy should they choose to do so, replacing worn out bags for life free of charge.

I am not yet in a position to announce the specific price threshold that will determine which bags will be subject to the levy. Clearly, before making a final decision on that, I want to hear what stakeholders, including representatives from the retail sector here, have to say. In any case, this detail will be in the subsequent subordinate legislation rather than in the Bill. The regulations will, of course, be subject to Assembly approval.

Secondly, the Bill makes a number of changes to the current administration arrangements for the collection of the levy and to the Department's enforcement powers. Those include a power for the Department to impose interest payments in the event of late payment of the levy proceeds by a retailer. It is designed to ensure that sellers cannot seek to gain a competitive advantage by delaying payment. I would hope that the Department would not need to make use of that power, but I believe that it is prudent to include suitable enabling provision in the Bill.

The Consumer Council and the Trading Standards Service have complimented the Department and its officials on the innovative way in which it has rolled out the understanding and the practice of the levy and on how it has been helpful to business interests in their understanding of the ambition of the levy. Therefore, although interest payments may be imposed in the event of late payment, I believe that the model of practice used in rolling out the levy should substantially mitigate that risk.

### **7.15 pm**

The Bill will also give the Department additional enforcement powers, including those to permit the inspection, retention and copying of documents. It is drafted to ensure that records kept by sellers are sufficiently comprehensive and that the Department can carry out routine monitoring to ensure that sellers are fully aware of their obligations under the regulations. I have to stress that the management of the levy to date has been done in a way that does not impose any disproportionate burden on retailers, especially small retailers. Retailers have to submit returns only once every quarter and can do so online, which should take a matter of minutes, so we do not believe that, in IT terms, either at the tills or thereafter, the management and payment of the levy places any disproportionate burden on business. Indeed, the view of the National Federation of Retail Newsagents in Northern Ireland is that the levy will result in a lesser burden on retailers than heretofore.

I should also say something about the ongoing monitoring of charging arrangements. Members may recall that,

during the Assembly debate on the phase 1 regulations, I undertook to keep all aspects of the regulations under review, including the provision for exemptions. On that basis, the Bill includes specific provision requiring the Department to carry out a future review of the carrier bag charging arrangements and lay a copy of the resulting report before the Assembly. However, in addition, and in response to requests from the First Minister and deputy First Minister, I am preparing to table an amendment during the Bill's legislative passage, the effect of which would be to provide for an ad hoc review of the exemption provision under circumstances to be specified in regulations. In other words, there would be a double review mechanism: a general review of the overall charging arrangements; and, in the event that it were deemed necessary, an ad hoc review. As I said, the precise wording of the clause to be tabled at Consideration Stage will be worked out with the Office of the Legislative Counsel. I will ensure that Ministers and the Committee are kept informed of policy direction.

I advise Members that, in phase 2 of the charging arrangements, I plan to increase the levy to 10p. This will be achieved through subordinate legislation, using powers already available to the Department under the Climate Change Act 2008. The Department's economic modelling, which is informed not only by our sense of the circumstances here but by international experience, suggests that 10p is the amount that will maintain the downward trend in carrier bag consumption. The current 5p levy will allow customers to get used to bringing their own bags before the increase.

Finally, I will refer briefly to the target date for the commencement of phase 2 charging. I remain committed to achieving implementation by April 2014, in line with the Programme for Government commitment. Full implementation requires not only this Bill but subsequent subordinate legislation. I fully appreciate the need for effective Assembly scrutiny of the legislative framework and for a sufficient lead-in time for the retail sector. I will, therefore, continue to keep the implementation date under review. I think that I have said this on the Floor before, but it is worth repeating: when a gateway team came to consider how the original Act was being implemented in the run-up to April this year, it acknowledged that the implementation by the Department, particularly the relevant officials, had been carried out very effectively. Indeed, as far as I recall, the only issue that the team raised with us was whether there was sufficient communication to retailers and customers about when the levy was coming in and what it would mean. The evidence to date generally indicates that people very much understood what was coming and that the business sector was, by and large, well prepared for it.

I will address any questions that Members raise in my response to the Second Stage debate.

**Ms Lo (The Chairperson of the Committee for the Environment):** As Chairperson, I welcome the Bill.

The Committee was briefed on the Bill by departmental officials at its meeting on 6 June, when members were informed that the Bill would provide for the second phase of charging arrangements. It will allow the charging requirement to be applied to a wider variety of carrier bags and allow the Department to make regulations that will apply the charge to the cheaper versions of reusable bags.

Members were informed that that approach was similar to the approach in the Republic of Ireland.

Members expressed concerns at the meeting that some retailers are trying to beat the current levy by charging 6p for a bag for life, which is not substantially different from a single-use carrier bag and is treated as a disposable bag. That goes against the principle of the carrier bag levy, which is to lessen the consumption of single-use carrier bags in general. I hope that retailers will be persuaded to stop that practice and embrace the principle of the levy.

I welcome the Department's commitment to another media campaign for the second phase of the charge. The first phase was well publicised, and members of the public seemed to be well informed when the charge came into operation in April. I expect the Department to conduct a similar level of awareness raising this time around.

At the Committee meeting, several members raised anecdotal evidence from smaller retailers that the current carrier bag levy had had an impact on shopping patterns and that some retailers had expressed concerns about an increased risk of shoplifting. Members were happy to hear that the Department's customer relations team had not had many approaches in relation to that and were reassured that the officials would call on any retailers who expressed concern.

Members welcomed the Department's commitment to future proof the Bill to adapt it to changing circumstances in the use of bags. The Committee also welcomed the inclusion in the Bill of a review period, which will look at the impact of the legislation three years after its enactment. It is always important to assess legislation and its impact on the ground and to make changes where necessary.

The Committee also welcomed the fact that the Bill will strengthen the Department's enforcement powers. We all know that legislation without enforcement is pretty powerless, and we hope that the Department will use the powers that this Bill will give it to ensure that the extended levy is strictly enforced.

As soon as the House refers the Bill to the Committee, we will call for written submissions from interested organisations and individuals, and members will welcome their views. I look forward to a good ongoing working relationship with officials to ensure that my Committee is able to scrutinise the Bill properly. On behalf of the Committee, I support the principles of the Bill and look forward to scrutinising it closely at Committee Stage.

I will now speak as the Alliance Member for South Belfast. I have some reservations about the Bill. Extending the charge to include reusable bags is somehow inconsistent with the principle that people should be encouraged to purchase reusable bags where possible. It could be difficult to justify to the public the introduction of a levy on those bags, although I understand the Department's rationale, which is to avoid cheap reusable bags being sold at a lower cost than a single-use carrier bag and being thrown away after just one use. That said, we need to ensure that there is a clear message communicated to the public as to why that category has been added, as, at face value, it seems somewhat contradictory to the aim of the Bill, which is to reduce environmental harm. My preference is, if possible — I know it will be difficult — for the Minister to continue charging just 5p on single-use bags only, as it

seems that the current levy is already close to achieving the policy objective of the first phase of the levy.

Although I was supportive of the initial regulation, there are a number of issues that the Bill, with amendments, could provide an opportunity to address. First, there is a range of problems with the list of exemptions from the levy. One example is the small plastic bags used by butchers and in fruit and vegetable shops or sections of large supermarkets. That is not very clear to consumers, who find that they are charged in one shop for something and not in another. I was at a sandwich bar the other day in Botanic Avenue buying a carry-out lunch. If you buy a tub of soup and a sandwich there, you can get a bag free because it contains hot food, but, if you buy a sandwich with a tub of salad, you have to pay for a plastic bag to carry them because they are considered cold food. It is so confusing, and the public can be forgiven for not knowing the difference. Some MLAs have had discussions —

**Mr Weir:** I thank the Member for giving way. The Member raised the issue of what she sees as inconsistency. Presumably, one of the differences is that, if you buy a sandwich, you can walk out with it in your hand, and it does not necessarily need to be put in a bag. It is a bit more difficult to carry out a warm cup of soup simply poured into your hand.

**Ms Lo:** Quite right, Peter. I agree with that, but I was not buying just one sandwich. The two of us had sandwiches and tubs of salad, and we needed a bag. The person in front of us got a bag free, and the two of us had to pay for a bag.

**Mr Weir:** Will the Member give way?

**Ms Lo:** Yes.

**Mr Weir:** The alternative is that, if you want a free bag, you could, presumably, have warm lettuce.

**Ms Lo:** No; I would not like that.

Some MLAs had discussions with interested groups before and after the introduction of the initial levy, and I will be keen to hear what discussions the Minister has had with those who produce carrier bags to see how the first levy has impacted on them and to take on board their feedback.

Many shops, particularly clothes shops in shopping malls, have raised concerns about the difficulty of identifying shoplifters. If customers do not buy plastic bags, they leave shops carrying an armful of clothes. I realise that the apprehension of shoplifters is not for this Minister to deal with, but I wonder whether he would consider looking at the system as implemented in the Republic of Ireland, which allows clothing retailers to offer paper bags at no additional charge to the consumer.

As I stated yesterday during the Supply resolution debate, I want to put it on record that I do not agree that the Department should lose money from its already tight budget to be topped up by revenue raised from this levy. In other regions, such as Wales, the levy has been used to fund innovative and additional environmental projects by the voluntary sector. That should have been the case in Northern Ireland also. The initial levy has significantly reduced the number of bags used here, with some shops noting up to a 98% decrease. That is a great success. However, it means that the £4 million taken from the departmental budget is unlikely to be reached. It seems

obvious to me that increasing the charge will be successful in reducing further the number of bags that are handed out. However, that will have the knock-on effect of reducing the income from the levy. With a number of projects continuing to require funding, I am concerned that making up that shortfall may continue to be an issue.

The Alliance Party is not going to stand in the way of this Bill passing Second Stage, and we have sympathy with its aims. However, I believe that close scrutiny is needed at Committee Stage and that a range of amendments could be considered. I look forward to taking part in this process alongside my fellow Committee members.

### 7.30 pm

**Mr Hamilton:** I will speak briefly in support of the Bill at Second Stage.

I have to say that I was not a huge supporter of the levy in the first Bill that went through here. I can remember the Bill going through late on in the dying days of the previous Assembly. It was a very short Bill with only about four or five clauses, and it always reminded me of Trigger's brush in 'Only Fools and Horses' because, although it made it through to the other side, it was changed almost completely. It was the same Bill only everything had changed. I was not entirely convinced that it would work, but I am man enough and big enough to admit when I am wrong. It happens so infrequently that I can remember every occasion. I think that I got this wrong in my instinctive view. As time passed, when it was inevitable that this was coming through, I observed, through the perspective of the introduction of the previous levy, the abuse of single-use carrier bags in our countryside and how they were damaging the environment around me. It is clear that, in a lot of areas, particularly around autumn, you see bags that are stuck in trees and hedges and have probably been there for many years in some cases. It is very clear that there was a problem in that it was damaging our environment, never mind the problems and the environmental damage that is done in the creation of single-use carrier bags. So, by practice over the past number of weeks, I have been convinced about the carrier bag levy. I would not say that I have the zeal of a convert or that I am hugely evangelical about it, but I think that it has worked. I am getting there, and I could become evangelical about the carrier bag levy.

Because I have seen it working well in operation, I am supportive of this Bill. I am supportive of this Bill because I have seen already how some supermarkets have attempted to game the system. I can think of one in particular that charges 6p for a slightly better carrier bag. It is not one of the heavier bags or the better bag-for-life things that you can see in supermarkets; it is just a slighter heavier plastic carrier bag and is not much better than the single-use carrier bags to which the 5p levy applies. They have deliberately price pointed it at 6p, so that customers will say, "I am not prepared to pay 5p for a simple, flimsy bag, but I will pay 6p for the slightly better one and I'll get a few more goes out of it". There is a real risk of what is described in the explanatory note as the "substitution effect" taking place, where people will pay for those bags almost to avoid paying the tax. Even though they are paying 1p more, they think that they are getting better value by paying 6p for a bag that might do them on a few more occasions. People themselves will try to work

around the system by substituting the inferior 5p bag for the slighter better 6p bag. There is a real risk that, if other supermarkets follow by having a price point at 6p, you will get that substitution effect taking place. The introduction of the carrier bag levy has seen reductions in the number of bags being used, and it has been reported that, in some supermarkets and shops, there has been a reduction as high as 90%. All the good work that has been done could be undone. I do not think that we would row back to where we were, but some of that good work could start to go into reverse.

I accept that, although I am more enthusiastic about the levy now than I was at its introduction, there are outstanding issues. The Chair of the Committee raised some of those concerns.

There is still a confusion about what is exempt and what is not. She herself has demonstrated circumstances in which she was a bit confused about where it applies and where it does not. It is probably the same for a lot of people. The Minister and his Department, including the officials who work in the carrier bag unit, have a continuous job to do in informing the public about the current levy, never mind the changes that this levy will bring in. However, given the relative success of the marketing campaign in advance of 1 April, I have some confidence that they will be able to inform and educate the public about this proposed extension of the levy, in the way that they did about the existing levy.

The Minister said that the current levy had been warmly welcomed. I am not convinced that it has been warmly welcomed by everybody. I think that, generally, the public were psychologically in a position where they knew that lots of these plastic bags were not good for the environment and wanted to move away from that. People were attempting to buy a lot of bags-for-life and to bring some heavier bags with them when they went shopping every week. We are only human; sometimes, we forget to bring these things or to put them in the car. However, generally, the public were in the right space. I am not sure that all traders, particularly small traders, were in the right place and that they warmly welcomed it.

The concerns that traders already have will perhaps be exacerbated by the Bill before us and the extension of the levy that the Minister proposes in it. However, the likelihood of this impacting on small retailers is somewhat less than it was for the existing carrier bag levy. It is likely to be only large supermarkets that are trying to introduce bags that are only slightly better than the single-use carrier bags that will be affected. I do not think that the impact of this extension will be as significant on small retailers as the impact of the current levy. I am interested to hear the Minister's thoughts on whether it will affect larger retailers more than smaller ones.

That all said, this is a natural extension — if not, for some, a welcome extension — of where we are. The current levy has been a success, and I hope that it continues to be so. The aims of the existing levy are to decrease the number of single-use carrier bags and to lessen their negative impact on the environment. There is some evidence of people trying to get around and to game the system as it currently applies. It is only right that we close down that door, and this legislation will, hopefully, do that. I welcome the Bill and support its Second Stage.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don Bhille seo. I too support this legislation.

From listening to the views of the public, I think that they have embraced this. It is something that they have decided to take on. They have taken up this challenge. It will go some way to mitigating the problems that we have had with single-use plastic bags. In recognising that, I think that we have a job to do in getting the message out about the reusable bag. The public have embraced the payment of 5p for a single-use plastic bag, and lots of them have bought bags at 6p and 10p and stronger bags, and they are using those at present. Once we introduce this new phase, besides the increase from 5p to 10p, the message about reusable bags needs to be communicated properly. Let me say to the Minister and the Department that a lot of good work has been done with traders and the public in getting out the first message. The same level of detail is needed to get out the message a second time.

One of my Committee colleagues brought up the point that people are buying large numbers of plastic bags cheaply over the internet. People are entitled to do that, but it is something that we need to be mindful of. Although there is nothing we can do about that, the clear message for us is that we should try to do away with the single-use plastic bag, and that is something that we need to be mindful of.

There are a couple of key points. Unlike Mr Hamilton, who said that he would speak for only a few minutes, I will speak for only a few minutes, but I need clarity on some clauses.

Full-time equivalent employees are mentioned with regard to sellers. Where are you going, Minister, with that element? I need clarification and to understand better. During the upcoming Committee Stage, there will be presentations, and a lot of traders will be involved in the process.

Some traders with smaller shops have told me that people used to come in to buy one, two or three items, and they got a single-use carrier bag, but they are now buying one item only and walking out. The initial transitional period will have an impact on traders. Has there been any feedback on that? I would like to hear your comments.

Reference is made to payments. Will you clarify when payments will be gathered for the first phase? You talked about interest on late payments. Will you say more about that?

Have you any information on the definition of carrier bags and on charges through work that has been carried out in other places? Is there evidence of best practice on how that has worked in the South or in Wales? Will you give us a definition?

I cannot stress enough how essential communication is in the roll-out. Will you elaborate on records, enforcement and your dealings with traders? How will you get that message out? Will it be a case of spot checks? What are your ideas on how it will be rolled out?

What about the revenue that will be generated? The Chair spoke about shortfalls, and we had some debate about that in the Chamber yesterday. I believe that we should look at new ideas and new ways to generate revenue. We should tackle it through current departmental budgets and priorities. Any money that is generated should involve best practice and good housekeeping. I want the money to be

used for that purpose as opposed to using money from our own budget.

I support the Second Stage of the Bill.

**Mrs D Kelly:** As the Minister stated in his opening remarks, the Bill has been broadly well received. He said that the legislators in the Department were catching up with the public mood. However, it is important to sustain support for the Bill. No one welcomes price hikes. However, the Minister was adamant that the purpose of the Bill is to improve the environment's chances of surviving well into the future, not to be a levy per se. Nevertheless, to retain some of the buy-in, it would be useful if we had some idea of the timescale of the projects so that we get the message out and people can see improvements in their local environment and communities because of the Bill, as well as it reducing the number of plastic bags strewn across our hedgerows and countryside. Broadly speaking, our party very much supports the Minister's proposals in the Bill, and I welcome them.

7.45 pm

**Mr Elliott:** I think that the one word that we can use about most of this carrier bag levy is "phase". That is because we seem to be going through different phases of the carrier bag levy. The first piece of legislation was introduced some time ago, and now we have what I suppose could be called the second phase. Even this second phase has two phases. We have the primary legislation, and we will then have the subordinate legislation coming with the regulations. I raised this question at Committee last week: how many more phases will we have?

Every time that you introduce a charge, a bag of a certain size or a particular type of bag, some retailers and businesses will try to get around that and will try to find a mechanism or a type of bag that they can charge a price for that, compared to the levy, is not overly exorbitant. I wonder what the Minister's thoughts are about that. There was an indication last week that he was thinking of a particular amount of money for a bag. There would be a 10p levy for anything below that price, and you would have a bag for life. You would pay that levy only once, and when you brought your used bags back into the shop, you would get replacements. I would like the Minister to give us some detail of how he envisages that working, particularly among the smaller retailers. Would those bags have to be labelled or branded? How would the retailers know where the bags came from? So, I am interested in getting some detail on that from the Minister.

The small retailers and the downturn in their businesses have been mentioned. It has been raised with me that, because of the carrier bag levy or the reusable bag levy, some retailers have found that, instead of customers going in and spending £15 or £20, they buy only a pint of milk or a loaf of bread and leave without additional goods. I have been told that research indicates that that is a short-term issue. However, it is a matter that I would like the Minister and the Department to keep under review, simply because we do not want those small retailers to go out of business. We want them to survive and to ensure that the small village shop and the high street shop will be there for the foreseeable future. That is vital.

To come back to the issue of the bag for life, I noticed that departmental officials suggested to the Committee that the

Minister is thinking of a particular amount of money as a bag charge. I wonder whether he has progressed on that. The officials said that, when the primary legislation goes through the Assembly, the regulations will be advanced but not completed. I am looking for some assurance that those regulations will be brought back to the Assembly for affirmative resolution so that we can at least have a say on them. I also hope that any future review of the regulations will come back for affirmative resolution as well. That is all for now, Mr Deputy Speaker.

**Mr Wells:** I think that the people of Northern Ireland are akin to the gentleman who bought a new Range Rover to take his bottles to the recycling plant. He was not committed to anything that was going to cause him too much pain. We as a society are quite happy to go out and plant the occasional tree, recycle a bottle or, in this case, cut down on our plastic bags. However, are we as a society prepared to take the major decisions that are required to protect our environment? I do not believe that, given recent experience, even this Minister is prepared to take really difficult decisions to protect our environment. He will know that from a very stormy meeting that I had with him yesterday. So, let us try to salve our consciences by doing all the cuddly little things that we can and thinking that we are doing something to solve the long-term environmental problems that this planet is facing. We are fooling ourselves if we believe that, but at least we are salving our consciences for another night's sleep.

Apart from that criticism, I welcome the legislation. I welcome even more the Damascus Road conversion of the honourable Member for Strangford Mr Hamilton. Anyone who can achieve that has certainly got a notch on their bedpost for political achievement. Mr Hamilton was prepared to stand up in the House and say that his initial view of the legislation was wrong. We need MLAs to be prepared to stand up more often to say that we can get it wrong. I was always a closet but enthusiastic supporter of this legislation. Now that Mr Hamilton has supported it, I am a publicly outgoing non-closet supporter of the legislation because I have some backup.

I have noticed a major change in public habits as a result of the previous legislation. I took the time to visit some supermarkets before and after the introduction of the levy, and it was like night and day. Before, the local Asda or Tesco was giving out plastic bags like confetti. People were taking far more than they needed. They were taking enough to do their shopping and another half dozen to take home.

There was a mindset that said that waste did not matter. Those bags were free, so it did not matter that they might take 50 years to degrade or would be hanging in our hedgerows for years, representing a threat to wildlife. They were free, and there is nothing a Northern Ireland person likes more than something free.

The levy was then introduced, and the Minister, in his chauffeur-driven Skoda, went to Coalisland. I never worked out why Coalisland, but there must be a very good reason. Perhaps Coalisland is the centre of the universe. I have hardly ever been in it in my life, but for some strategic reason, he and the media headed to Coalisland. Perhaps he can tell us why.

Initially, there were tales of gloom and doom: shops would close; plastic bag companies would go bankrupt;



the economy would go into free fall as a result of the decision. Then it all went quiet, because, immediately and extraordinarily, the psyche and behaviour of the Ulster shopper changed irrevocably. Within days, people got used to bringing a proper bag for life, as my wife and I had been doing for decades. However, we were few and far between. In fact, I borrowed my wife's car the other day, and she gave off because all the bags for life were in the boot, so she could not go shopping.

People's behaviour changed dramatically. The only pity about the Minister bringing forward this second Bill is that he does not have the hard facts — yet — to prove just how major the change has been. I hear figures of 80% and 90%. I hear one store saying 98%. If that is true, the first Bill has achieved more in this part of the United Kingdom than in the Irish Republic or anywhere else where such legislation was introduced. That is extraordinary.

In my recent standing in queues in supermarkets, it has been a long time since I have seen anyone obtain a bag at 5p. People have been using the reusable bag for life. That is a tremendous turnaround in behaviour. The only other time that I saw a similar change in public behaviour in Northern Ireland was after the introduction of the ban on smoking in shops and restaurants, when obedience of the law was almost universal. Absolutely extraordinary, and it has happened again.

Some of us will be sending the Minister well-placed questions for written or oral answer so that he can tell us before he departs his high office how effective the legislation has been. It is saving a huge amount of plastic from going into landfill or hedgerows. I notice when driving in the countryside a lot fewer plastic bags hanging in trees and bushes in Northern Ireland than was the case three months ago. Therefore, it is having an effect.

What we need from the Minister are the hard facts of the exact position as far as the legislation is concerned. However, I see as far more important that it is taking 190 million plastic bags out of recycling or being dumped as rubbish. It sends out a clear message that the world has finite resources and if we use all those resources, there will be nothing left to sustain the seven billion people on the planet. The sad reality we have to face as a nation is that if China and India wish to consume the world's resources at the rate that we are in Northern Ireland, including Coalisland, we will require four and a half planets to sustain mankind. That is just the fact. The sad reality is that India and China are fast catching up on the consumption of the world's resources. That is the problem. It is going extremely quickly, and we are facing huge difficulty. Therefore, as a western society, we have to make the decision: are resources to be used, consumed and cast aside, or are we going to have to think before we use any element of the world's resources and recycle, reuse and reduce consumption?

That is something that my family and I have been doing in my life for the past 56 years. I suspect that, until recently, most people regarded us as being absolute nutcases for doing that, because the attitude of the Ulsterman, or the Irish man living in Northern Ireland, or the British man living in Northern Ireland, or whatever you want to call him, is eat, drink and be merry. The problem, however, is that there is an ending to that verse: it is that tomorrow thy soul shall be required of thee. The problem is that we are eating, drinking and being merry, but we are not thinking

of the consequences for the environment. So, I see this as a tiny, but very clear, step saying that we are not going to waste.

There is not much sense in controlling plastic bags when you can go into a shop and buy any number of cold drinks in tins and bottles, and there is nothing to encourage you to return them. Some people recycle them; I accept that. When I was young, probably before anybody else in the Chamber was born, there was a 5d deposit — that is two-and-a-half new pence — on all containers for soft drinks. Now, I know some of you will think that that was before the Boer War, but I assure you that I am talking about the early 1960s. If you bought what was called lemonade in the old days, you bought it from C&C. I remember that its slogan was, "Big, big bottles", and that is giving my age away. You consumed the fizzy drink, and then you went back to the shop with your bottles. I remember as a child —

**Mr Deputy Speaker:** Can we come back to the bags, please? *[Laughter.]*

**Mr Wells:** I think there is a lesson to be learned for the bags, Mr Deputy Speaker, and at least we are livening up the debate somewhat.

**Ms Lo:** Will the Member give way?

**Mr Wells:** I certainly will.

**Ms Lo:** I have certainly always known that the Member has been a strong advocate for the protection of the environment. Does he agree that we need to bring forward the Climate Change Bill as soon as possible?

**Mr Wells:** I think that I am being lured on to the rocks of political demise. I am not so slow that I have not had direction on that, so I cannot give the honourable Member for South Belfast my views on that issue as yet, but, no doubt, I will be educated on the subject very soon. *[Laughter.]* You have totally distracted me. Meanwhile, going back to the 1950s, there was a compulsory deposit on all containers.

Therefore, we still have a problem. Although we may have sorted out the issue regarding the plastic bags, we have not sorted out the problems we still face with a throwaway society. If we needed an example of that, we could have gone to Portstewart strand yesterday morning, after 10,000 people had sunned themselves on that beach, and seen that 14 vans were required to carry off the waste, including, unfortunately, plastic bags, deposited on the beach. We have a long way to go, but this is a step in the right direction.

I am glad to say that this has my enthusiastic support, for what that is worth — practically nothing, I would think. It is a step in the right direction. I agree that we need to put the levy up, but I think the increase to 10p will not make a huge difference, because I think that anyone who has made the decision not to buy a bag has made it on the basis of 5p rather than if it was 10p. The penny has dropped here, and, at last, we have prompted our community to take a rational decision. It shows how sensitive the Northern Ireland market is to pricing, and it shows what can be done. Therefore, I am glad that the Bill is going to get through.

The only other issue is that I would appreciate an update on whether any revenue will be generated by this, but we will not know that until the end of the first quarter. It may be that it has been so successful that there will be

a little trickle of income coming in — in dribs and drabs, as they say in south Down — and it will not count for very much. It will be unfortunate if that is the case, because I know that assumptions had been made about a much more substantial income. It may not happen, but that may be an indication that we are a victim of success rather than failure.

### 8.00 pm

**Mr Attwood:** I will start by confirming for Mr Wells that I was in Coalisland because 'Talkback' invited me to go there. It was nothing more than the fact that 'Talkback' decided that it wanted to broadcast live from a store in the heart of Coalisland, and great it was as well. The carrier bag levy was launched that morning at Primark in Castle Street in Belfast, where, as I recall, I served customers and charged them for the use of carrier bags. I just wanted to clear that up in case there was anything sinister or implicit in the comments that were made by Mr Wells.

I will move on promptly to respond to points that were raised by Members. I acknowledge all the contributions that were made. I thought that all the questions and comments were valid. I will deal first with the comments that were made by Anna Lo. I agree with her that, as before — Mr Boylan touched on this point as well — we need to ensure that awareness-raising interventions continue. As Mr Wells captured in his contribution, the threshold is very good. I will come back to what the trends might be in the reduction in the use of single-use carrier bags over the past couple of months. I think that those figures, when they are validated, will indicate that the threshold of understanding of the issue is very good. We will continue to communicate and raise awareness. However, I think that the baseline is very good. Although we will continue to raise awareness, we will not necessarily have to do so as intensively as we have in the past. That is because of the Department's innovative approach to the exercise, which the Northern Ireland Consumer Council welcomed. That innovative approach includes how we communicate with stakeholders, consumers and retailers alike. We will continue to use that approach, going forward.

I will address Anna Lo's first point. When retailers offer a carrier bag at 6p, that is open to the interpretation that they are trying to defeat the environmental ambition of the levy. Because of that practice and the risk that people might be tempted to use low-cost reusable bags, it is necessary to have the second-phase Bill. I will come back to Mr Elliott's points about why we have a second-phase levy Bill. It is the fact that a very small number of people might tempt consumers to use low-cost reusable bags. That is the very point and principle of having a levy on low-cost reusable bags, which is captured by this Bill.

I hear what people are saying about indications that there might be shoplifting. I have to say that the team that is located in the City of Culture has liaised very quickly with retailers when hard cases have arisen. It has been very prompt to get out on the ground and speak to retailers about what the problems might be. If indications that there may be a problem with shoplifting become a pattern, clearly, we will look at that to see how it might be remedied.

I will respond to Anna Lo's comments in her capacity as a MLA. The point of both phases of the legislation is to encourage people not to use bags at all. I recognise that there will be times and places when people will require

bags. That is just an inevitable feature of human life and experience. However, the aim is to encourage people not to use bags at all. The reason for that is that, whatever bag it might be, whether it is the most environmentally friendly bag or the one that does the most violence to the environment, there is an environmental cost around each and all categories. It uses natural or other products, and there are transport and manufacturing costs involved. Even the most environmentally friendly bag has an impact on our environment around transport, manufacturing and other costs. That is why we need to capture as fully as we can — you will not be able to capture everything in the legislation — the bags that have that impact. The reality is that even environmentally friendly reusable bags can have that impact. The potential for displacement or substitution means that we need to have this law. The fact that displacement bags or, to use another term, reusable bags are heavier, thicker and can take longer to degrade means that they need to be captured in the legislation.

I note what the Member says about exemptions. I have said this before in the Chamber, and I will repeat it now: the legislation will be kept under review, and, if there is a requirement to refine or retune the exemptions, we will certainly look at that. At the moment, in my view, there are exemptions that are justified for health, safety and cross-contamination issues, and that includes issues around hot food and hot drinks. I differentiate — I think that people can and will do this more and more, because most of them display high levels of common sense — between that which is hot and that which is cold or that in respect of which there may be a health-and-safety risk and that in respect of which there is not a health-and-safety risk. I will rely on people's wisdom, insight and common sense to work that out for themselves. As the levy legislation beds in and becomes more and more a feature of retailers generally, I think that retailers and citizens will more and more understand that there is a difference, based on health, safety and cross-contamination issues, between one product and another. I will rely on people in that regard.

I reassure the Member that, whilst the purpose of the legislation is environmental, I hope that the levy will enable us to direct resources towards environmentally productive causes. Even though the legislation and the impact of the levy may be more successful than we might have imagined, we will not have any validated figures until July. In any case, a snapshot of three months will not tell the full tale. The tale will only be written at the far end of year 1, year 2 and year 3, when the full deployment of the law has happened. Even on the current estimates — we have downgraded the potential income — the Department believes, on the basis of experience in other jurisdictions from which we have evidence, that in year 1, the income will be £1.7 million, and that in year 2, when the levy goes up and captures a wider category of bag, the income will be £3.4 million. Consequently, given that the internal costs to the Department of the administration of the levy will be in and around £600,000, in years 2, 3 and 4, if those figures are confirmed, there will be substantial moneys available, and those substantial moneys will be directed to environmental causes. So even though we may significantly reduce and continue to reduce the number of carrier bags in circulation, the levy will still apply. As a consequence, there should be a significant revenue flow coming to the Department.

What will happen with that money? I have indicated before and will confirm again that there are five funding streams arising from the levy. The levy, less the internal costs to the Department, will be deployed in full. Every penny that comes in from the levy, save the internal costs, will go to a river restoration fund, a sustainable innovation fund and a natural heritage fund, and more money will go to the community challenge fund and towards rethinking waste initiatives. I want to give that reassurance.

I note that Mr Hamilton said that he was not, unlike Jim Wells, evangelical about this. My sympathy and my judgement go with Mr Wells in this regard. Essentially, what Mr Wells was saying, even though he did not respond in any decisive way to Ms Lo's intervention about a climate change Bill — that was a wee bit disappointing, given the eloquence of his other comments — was that the real issue is that, if people are saying to this Assembly that they think having a carrier bag levy is good law and best practice, can the Assembly not stretch itself to bring in other good law and best practice consistent with the terms of the other contributions made by Mr Wells, save that in respect of the climate Bill? I think that is what people are telling us. They are sending a message to the Assembly. I do not know whether Mr Wells is correct in this intuition, but, if he is and we move faster down the road of reduction of single-use carrier bags than other jurisdictions might, then the conclusion to draw from that is that people want us to move down the road of other interventions in respect of climate change generally. If that is to mean anything, it has to mean that we have challenging emissions targets. In my view, they should be included in a climate change Bill dedicated to Northern Ireland.

**Mr Frew:** Will the Minister give way?

**Mr Attwood:** I will in a second. This means that all Ministers — until she disappeared, we had been joined by the Agriculture Minister — and all Departments, particularly Agriculture and Regional Development, deploy adaptation strategies around emissions, given that roads and agriculture are the two biggest creators of emissions in government practice in the North. It means that we have the ambition of a low-carbon economy and realise that, if we are to have sustainable jobs in the North, that will ultimately revolve around the added value that Northern Ireland gives to foreign direct and indigenous investors who want to invest here. That market will revolve around having a low-carbon economy and a small carbon footprint.

**Mr Frew:** I thank the Minister for giving way. I hear what he is saying, but I question the need for a climate change Bill for Northern Ireland specifically when we have one for the UK, which takes in this jurisdiction. A climate change Bill for Northern Ireland only could well hurt and impede the growth of the agrifood industry because of the reliance on that industry in Northern Ireland.

**Mr Attwood:** That is a debate that we will have to have over the next 18 months, because there is a pre-consultation out in respect of —

**Mr McNarry:** Why are we having the debate now? We are talking about bags.

**Mr Deputy Speaker:** Order. Minister, the Floor is yours.

**Mr Attwood:** I was responding to the evangelical approach of Mr Wells and the less-than-evangelical approach of his colleague Mr Hamilton.

**Mr Wells:** Will the Minister give way?

**Mr Attwood:** I will. If the Member over my left shoulder has such an acute interest in this issue as to berate me for commentating on it, perhaps he should have contributed to the debate in the first instance. The character of the debate around this Bill and around the carrier bag levy is only representative of the debate that we will have to have around the issue of climate change.

I think that Mr Boylan was right about people embracing the levy. I want to give confirmation about a number of points that he made. There was some indication from one of the traders that there had been a reduction in impulse purchases because people would have to pay for a carrier bag if they were to purchase two, three or four items. Indicatively, that seems to have gone away as an issue, but, clearly, we will continue to monitor it. He mentioned people buying plastic bags from the internet. My sense is that, in the run of things, individual consumers will not flock to the internet to purchase plastic bags for their personal use. If retailers went to the internet to buy plastic bags for their business use, those plastic bags would be captured under the levy scheme. He also asked about what is happening in other jurisdictions. They have approached this differently. It is interesting that there are indications from Scotland and the wider European Union that they are going down the road of introducing charges for carrier bags of whatever category. Although our model is different from that in the South, which captures only plastic bags, and in Wales, where the scheme is administered by retailers, we have borrowed from all that experience in and outwith these islands to shape a model here that works best for us.

**8.15 pm**

I confirm to Mrs Kelly that, on the basis of the revenue figures that we will get in July, we will make judgements about how quickly and how much we can deploy in the environmental schemes that we intend to fund.

Mr Elliott mentioned regulations that might come from the second phase of the carrier bag levy. I confirm that those will be by affirmative resolution. In doing that, our approach around this Bill is no different from the first Bill. The first Bill dealt with single-use carrier bags, and the fine detail of how that was to be managed was by way of regulations. Similarly, this Bill deals with low-cost reusable bags. How that will be precisely managed will be dealt with by regulations. I held back on the second-stage Bill because, in the run down to April and with the introduction of the single-use carrier bag levy, I did not want to create confusion in any shape or form in the mind of retailers or customers. You could have created confusion by saying that you were introducing the levy on 8 April and, the week before, introducing a Bill to deal with the second-stage carrier bag requirements. I made the political judgement to do the first phase of work and get it implemented and operational before we took on the second phase of work. To create certainty and avoid doubt in the mind of consumers and retailers, that was the right approach.

Although I do not have a settled mind and I will listen to the views of stakeholders about the stage at which the levy will kick in for reusable low-cost bags, a figure in and around 40p might be the right threshold. However, I will be influenced by and listen closely to the views of retailers in that regard.

I will very shortly be in a position to give Mr Wells the hard facts that he asked for in respect of the real evidence coming from the retailers about a reduction in single-use carrier bags. Whatever way the figures eventually end up, the number of single-use carrier bags used in the North in the year before 8 April was 250 million. That is an astounding figure. When you work that across to each man, woman and child in this part of the world, it reveals the scale of use and the scale of harm. Even if we were to achieve a 90% reduction — that might yet be beyond our current ambition but not our medium-term ambition — you would still have usage of 2.5 million bags. So, even if we were to reduce our usage by 90%, we would still have that scale of use.

**Mr Wells:** Will the Member give way?

**Mr Attwood:** I will.

**Mr Wells:** I think that the honourable Member's maths is slightly out. If it is 250 million bags and you have a reduction to 10%, it would be 25 million bags, not 2.5 million. That is still 12 or 13 bags for every man, woman and child in Northern Ireland per year.

**Mr Attwood:** You would not believe that I got two maths O levels at a point in my life. It was so many years ago that the maths have clearly escaped my mind ever since. I stand corrected. That intervention only confirms that my underestimation of the impact demonstrates that the real impact of 25 million is still very significant.

I understand what the Member said about our stormy meeting yesterday. It was blunt; I do not necessarily think that it was stormy. Going back to his earlier contribution, the point is that, while we may differ about a planning enforcement matter here or there, Mr Wells and I do not differ on the need for enforcement, be it on planning, waste or, indeed, the few retailers who, in the fullness of time, do not comply with the law on carrier bag levies. They should endure monitoring and penalty. When the ambition of consumers and retailers alike is to see a reduction in carrier bags and when those who use carrier bags make a payment to the Government though the levy, you cannot have a situation in which others flout the law and create a competitive disadvantage to those who comply with the law. That is why, in the Bill, we have made provision for the charging of interest on those who, even after persuasion, monitoring and regulation, still do not comply with what should be best practice. All these matters can be further interrogated by the Committee as we work through the Bill.

The message from people across this part of the world is loud and clear: they want to look for ways and means of dealing with the issue of waste and climate change. This Bill creates a further mechanism to do that, and I commend it to the House.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Carrier Bags Bill [NIA 20/11-15] be agreed.*

*Motion made:*

*That the Assembly do now adjourn. — [Mr Deputy Speaker.]*

## Adjournment

### Portavogie Fishing Fleet

**Mr Deputy Speaker:** The proposer of the Adjournment topic will have 15 minutes. The Minister will have 10 minutes to respond. All other Members who wish to speak will have five minutes.

**Miss M McIlveen:** I am pleased to have been given the opportunity to raise on the Floor of the Assembly the plight of the Portavogie fishing fleet, although I am sorry that I felt that it was necessary to do so in the first instance.

The problems that I will outline relate to Portavogie, as it is in my constituency. However, they could easily be applied to the other commercial fishing fleets in Ardglass and Kilkeel, and I see my colleague Jim Wells, a Member for South Down, who will no doubt mention the problems in his constituency. I also see Sean Rogers.

In preparation for this debate, I took the opportunity to speak to fish producer organisations and local fishermen to try to understand the current hardships being experienced by the fishing fleet in Portavogie. I want to begin by stating that the fishing industry in Northern Ireland is an important part of our economy. The Agri-Food Strategy Board's 'Going for Growth' strategic action plan, published in April of this year, described the fishing industry as having:

*"a very long tradition in Northern Ireland",*

and stated that it has:

*"proven to be robust and resilient in the face of challenge."*

Portavogie is built around its fishing fleet. Previously, I brought a motion to the Assembly regarding the regeneration of the village and my desire to see greater diversification in the area. Portavogie, more so than Ardglass and Kilkeel, relies almost totally on fishing for it to function. In that debate, I pointed out that, according to a survey commissioned by Ards Borough Council, retail provision in the village consists of one general shop, a pharmacy and a post office. For all that the Minister said in response to that debate, little of benefit in diversification and regeneration is to be seen on the ground. The fishing industry has the potential — I stress the word "potential" — to be sustainable and productive for many years to come. I will come back to that.

The publication by the Agri-Food Strategy Board suggests that the total value of fish landed in 2010 was £20 million. However, local industry sources say that that figure does not include fish landed by Northern Ireland boats in the Irish Republic and Scotland. It is estimated that the value to the Northern Ireland economy is about £56 million. That is a substantial amount that shows that fishing is a valuable asset that needs to be protected.

The industry has met challenges over the years, but, through a combination of circumstances, fishermen face huge immediate problems. The fleet's catches in 2010 and 2012 were better than those in earlier years but followed

a number of incredibly poor years for the industry. Those good years helped the fleet to recover following the bad years. However, after a curtailed autumn fishing period in 2012, the fleet has experienced massive difficulties. The boats' ability to leave the harbour has been severely restricted by prevailing easterly winds. Although late September to spring fishing is not the most lucrative, it is essential to provide wages for the boats' crews over that period. With boats unable to leave harbour for long periods, boat owners have had to pay crews' wages from their own pockets just to ensure that they have had a crew on hand for when the weather improved. One boat owner told me that he had not seen anything quite like the prevailing easterlies in his 37 years as a fisherman. The fleet's activities were severely curtailed during that period. Grossing was down over 50%, and the problem was compounded by higher overheads when they got out to sea. Only recently has the fleet been able to fish at its capacity, having lost a full six weeks of the more lucrative spring season.

The Minister's response has been to say that quotas are still there to be caught and the days at sea remain to catch them. That shows a complete and utter lack of appreciation for what fishermen face. Industry representatives have advised me that it will be impossible to make up the lost ground. Fishermen say that the 10-week window is not enough, despite those men being out 18 to 20 hours a day. They realise that, come September, when the good fishing season ends, they will simply not have enough money to carry them over the winter months. Every boat owner to whom I have spoken has told me that. One Portavogie fisherman said:

*"I have been 25 years at sea, and I have never seen the village in this state".*

A heavy cloud lies over the fishing village of Portavogie.

The fishing industry needs to be shown that it is a valued asset in our local economy. It needs to be shown that there is a Department that knows what is going on in the industry and has a five- or 10-year plan for it. Many of the fishermen to whom I have spoken tell me that much of the fleet faces bankruptcy due to the unique circumstances that they faced this year. There is a real need for immediate financial assistance and a coherent strategy for the fishing industry.

Why do I believe that fishermen should receive a hardship payment? In December 2011, the Minister delivered a commitment to the Commission in Brussels that the fleet would be fitted with new selective fishing gear. To fulfil that commitment, new gear was to have been delivered and developed. However, the gear threatened was a Swedish grid gear, which is impractical for the boats in the Northern Ireland fishing fleet. Various grids were trialled by the fleet, and it was found that the nets were falling over onto the side and a large amount of the catch was being lost. During those trials, fishermen expended thousands of pounds on various grids while losing revenue from lost catches. The Department has not recognised the loss of revenue caused to the fishermen by trialling these highly selective gears, which simply did not work for the type of boat and net used and the conditions faced by the local fleet. The responsibility for that loss lies firmly at the feet of the Minister and her Department.

It was costing boats thousands of pounds as they had to purchase three or four sets. That investment by the fishermen needs to be recognised, but it has practically been ignored over the last 12 months. The Minister has talked about establishing a research and development fund through the European Fisheries Fund (EFF) specifically to develop fishing gear with very low catch rates of unwanted fish, but what about the cost that has been incurred to date?

### 8.30 pm

The fishermen feel that they have lived up to the Minister's commitments over the last 12 months and have worked with her officials, but there has been no recognition of that. What is incredible is that, despite the requests, the Minister has still not met fishing representatives. Furthermore, the Minister has not submitted any request for a hardship payment to the Finance Minister for consideration. I understand that the First Minister has raised that issue with the Agriculture Minister on a number of occasions, but we have still seen no movement from her on that. The Minister has been asked by both the Anglo North Irish Fish Producers' Organisation and the Northern Ireland Fish Producers' Organisation to consider a hardship payment, but that has been refused.

The Minister seems to think that a few weeks of fishing will make up for the losses caused by an ill-thought-out selective gear policy, adverse weather conditions over the winter months and the loss of six weeks out of the prime fishing period. There are a number of reasons why 10 weeks of fishing will not rectify the problem. First, there are not the fish available. Because of the loss of the white fish quota, those who fish for it are now fishing for prawns, so there are more boats fishing for the same product. However, the product simply is not there, and that is not because of overfishing but is due to the unique weather circumstances. The fishermen note that the easterly storms seem to have had a devastating impact on the sea. The seabed temperatures are around two degrees lower than they should be, which inhibits the prawns from moving. Prawns have become the mainstay of the fleet following the restrictions on fishing for white fish as a result of the perceived lack of action by the Minister to assist those fishermen.

Furthermore, because of the late spring, the plankton bloom, which usually takes place in March and, by the end of April, rots and deadens on the seabed, is happening in the second week of June this year. Once the seabed deadens, that will again massively curtail any productive fishing of prawns. Additionally, although costs have risen dramatically for fuel, insurance and fees, the prawn price has been static. Logically, one would assume that, if fewer prawns are being landed by the Northern Ireland fleet, the price would increase, but, unfortunately for the fishermen, because of imported product, the prawn price remains low, so the fishermen are not even able to offset their costs with higher fish prices.

I will give one example: it cost one fisherman I spoke to in excess of £800 per day to go out fishing in the first instance. That is fuel costs and the cost of fees to agents, harbour authorities and producers' organisations, food and insurance. It does not include the wages of the crew or the maintenance of the boat or equipment. That is for an average 65-foot trawler. Yesterday, that boat made two

tows of 22 miles in total, and they were only able to catch 10 stone of prawns. On another boat, one crew member worked five days of 18-hour shifts to receive £150 gross. Does the Minister regard that as acceptable? That is at a time when the Minister is saying that there is plenty and that everything will be fine. There are boat owners who have maybe accumulated tens of thousands of pounds to cover them over the winter period but are now at the limit of their overdrafts, some in excess of £20,000 or £30,000.

The fishing industry is a vital part of Northern Ireland's agrifood industry. It can be sustainable, but it needs urgent attention because of those unique circumstances. I have not mentioned the challenges coming from Europe in relation to the new common fisheries policy (CFP) rules or the discard ban, the restrictions on the Clyde or the additional cost of licences to fish in Isle of Man waters. Going forward, the industry needs to be given attention by the Department. There is a palpable sense from the fishermen that they have a Minister who simply does not care, does not know and does not want to know about the fishing industry.

There is further concern that only a small proportion of the European Fisheries Fund money has been committed. That money needs to be committed by the end of 2013 and spent by 2015. I have been told that the Department has said that there has been a lack of quality projects to fund, but where is the proactivity from the Department to develop projects?

The Minister consulted on a decommissioning scheme last year, but the conditions attached to that proposed scheme were simply unacceptable to the fishing industry. A proper, managed and workable decommissioning scheme is required. A scrap-to-build scheme that would develop modern, smaller, more fuel-efficient vessels would be of huge assistance to the fleet as a whole, but unfortunately it cannot be delivered under axis 1 of the EFF. At present, the average age of the fleet is 40 years old. There has been a lack of investment in the boats in recent years as the money made goes on the crews or on the systems demanded of them by regulations, such as the selective gears and automatic identification system (AIS) tracking. Although skippers and boat owners are doing their best, this could lead to safety issues for the crews. The Minister needs to be cognisant of the risks that these men take every time they leave harbour.

Although grants may be available, they are not being taken up. On the one hand, that is because of the bureaucratic hoops that have to be jumped through, including filling out a form that could be 40 pages long, and, on the other, it is because they do not have the money available to pay the balance.

I note from the Minister's response to Members that she will consider support for the full cost of replacing the fishing fleet's current satellite monitoring system. However, again, that is to meet a requirement of European regulations and is not of real assistance to the fishermen or the industry going forward.

The Department needs to take an interest in the needs of the fleet, and it needs to be proactive rather than reactive. I would ask the Minister to put in place a hardship package to assist in getting the Portavogie fleet and others over their immediate difficulties. Beyond that, however, she needs to carry out an audit of the fleet. She needs to

produce a strategy aimed at developing a fleet that is sustainable in the 21st century, and she needs to look at a strategy of regeneration for the fishing communities that rely on that fleet.

The Minister and her party often use the word "equality", but where is the equality in her treatment of this sector? She appears to give only a passing nod to the fishermen, but they need to be valued. She needs to step in now with measures that will see them over the present difficulties and work towards a strategy for a sustainable industry and thriving fishing communities. Assurances are needed that a hardship package will be put in place; that there will be an allocation of the axis 1 moneys to quality beneficial and sustainable projects; that there will be a fair decommissioning scheme; and that the Department will be proactive in addressing fishing concerns.

**Mr Nesbitt:** I thank the Member for securing the debate, and I acknowledge that she is not confining it to Portavogie but including other fishing villages around our coastline.

I do not want to descend into sentimentality straight away, but we are all very taken when we see images, particularly black-and-white stills, of how things were 50 years and 100 years ago. I spent a very pleasant Friday evening recently in Portaferry with the regeneration board, where I heard stories about how it was once a centre for shipbuilding. In 2013, it is perhaps challenging to look back and think of Portaferry in that state 100 years ago, when literally thousands of people lined the streets for the launch of vessels that would traverse the Atlantic Ocean and people who were emigrating these shores for a new life in North America left not from Belfast but from Portaferry, but so it was. Equally, when we look back, Portavogie was a fishing village that enjoyed huge prosperity not just from fishing but from the processing of the catch. All of that was built on the hard and, let us acknowledge, dangerous work that was done by the fishing fleet.

I am blessed in that I can speak with a little authority on these issues, because I am supported by Angus Carson, a colleague and very good friend who is a councillor for the Ards area and who was the captain of a fishing vessel for many years. He still resides in Portavogie, and his family is still involved in the fishing industry. I am very aware of the daily impact of what was a very long and hard winter, when the vessels were not able to sail for eight, nine or 10 weeks in a row. Admittedly, the past couple of weeks have been better weeks, but we have to look at that in the broader context of decline and against a background where, if the days at sea do not get you, the quotas will, and, if the quotas do not get you, the days at sea will.

I was lobbied recently by some current and former fishermen who made the point that there was no assistance for the fleet at present. In fact, rather than help, there is hindrance. They have to spend £5,000 on AIS, which is the equivalent of satnav in the modern car. They talk about the monitoring, controlling, surveillance and policing of their work, and they equate it to the taking away of their civil rights. Where else, they ask, would you have a profession in which your every little action is supervised and policed to the extent that it is when you take to the seas? The fishermen call on the Executive to help, not least because they saw the bad weather payments that farmers got. They do not envy farmers; they understand that they deserve what they get.

I was disappointed when given a copy of a letter from the Minister to a spokesman for one of the fishing fleets. First, the Minister argued that the Department would go no further because it had already given:

*“a year’s funding of harbour landing and berthing dues that was not provided by any other Administration.”*

Secondly, she argued that, in London:

*“Since 2008, DEFRA has been paying light dues ... on behalf of its fishing fleets.”*

The point is that this year’s funding of harbour landing and berthing dues by the Department was a one-off, whereas DEFRA gives support year on year. It was disappointing that the Minister finished her letter with:

*“A further hardship scheme would not represent value for money.”*

What would represent value for money when it comes to preserving the fishing fleets and their communities?

I hope that the Minister will address the issue of £18 million in the European Fisheries Fund and whether it was fully allocated in the past financial year. I welcome the fact that there will be a research and development fund, particularly to look at highly selective gear, because those lobbying me said that they did not know whether nets should be of 78, 80, 200 or 300 millimetre mesh. There needs to be clarity on that.

To preserve the fishing fleets, we should look at succession planning to resolve the seemingly endless dispute over scientific evidence. We should do so with a vision for the fleet that is strategic, realistic —

**Mr Deputy Speaker:** The Member’s time is almost up.

**Mr Nesbitt:** — and, above all, offers those living in fishing villages such as Portavogie hope for the future.

**Mr Deputy Speaker:** Members, there has been considerable interest in the debate, and you may take interventions, but I am unable to give you additional time.

**Mr McCarthy:** First, I thank my Strangford Assembly colleague Michelle McIlveen for successfully bringing this matter to the Floor this evening. I fully support that. Our fishing industry has been in crisis for many years, and, unfortunately, the downward spiral continues.

My experience is with the fishing fleet from my neighbouring village of Portavogie, which undoubtedly suffers in exactly the same way as their counterparts in Ardglass and Kilkeel. They have witnessed a once-thriving industry, at sea and in the onshore processing plants, gradually go down the tubes. Today, in most cases, any work by the fleet is, unfortunately, done at a loss, and that is simply not sustainable. I pay tribute to the fishermen, who have a very hard life. Their work is very hard, and many have lost their life in pursuit of the industry. We must recognise that it is a very hard industry. Nevertheless, they carry on.

At many meetings of the Committee for Agriculture and Rural Development, of which I am a member, the plight of our fishing fleet has been raised, and the disastrous situation has been brought to the attention of the fisheries Minister. Despite her concern and efforts, the downward spiral continues. Much has been said about the common fisheries policy, and hopes for a better future have been

raised many times, but, unfortunately, that never happens. At present, the fishing fleet faces hugely increased costs, particularly for fuel. Some of the stories I have heard about how a once proud industry is reduced to skilled fishermen hanging on to their trade by a thread are horrendous. I appeal to the Minister, who is in the Chamber with us today, to do whatever she possibly can and indeed more to introduce some grant assistance or a hardship fund, call it what you will, to preserve this industry before it is lost once and for all.

#### 8.45 pm

I recently met some Portavogie fishermen to hear at first hand about the difficulties that they face. These are men who have given their entire life to the industry. They know everything about fishing that has to be known and they know how to run a successful business but, because of the bureaucracy and rules in the industry, they are at their wits’ end as to how to make ends meet. They are being asked to do things at their own expense and they know that is not going to work. They have been on the sea for a lifetime and they know right from wrong, but they are largely ignored. Senior fisheries officials were present at our meeting, and they acknowledged that the fishermen were the experts on these things. They appreciated the unlimited knowledge that the fishermen have. That somewhat pleased the fishermen, because up until now, the bureaucrats from God knows where lay down the rules despite what these fishermen, who have such a vast experience, have said. They were pleased that at least the officials acknowledged that they knew how to go about their business.

There seems to be an uneven playing field for our local fishing fleet. That was the message passed on to the officials. Other boats seem to be able to fish in our waters and get away with a bigger catch, and there are other inequalities, to the annoyance of the locals. I hope that the Minister will listen to the plea from the fishing industry and their representatives and agree to give some support, which is urgently required to keep the industry afloat and to provide for a future industry for our young people, not only in Portavogie, but in Ardglass and Kilkeel.

**Mr Bell:** I endorse the call for a hardship fund for the fishing community in Portavogie. It is more than just the people who go out on the boats; an entire community has been decimated over a number of years. It has been said in the past; I think that the 2009 figures were somewhere around 650, which is 50% of the previous set of figures that we had for the fishing community in Portavogie before, which stood at something like just short of 1,400. We have got a fishing community that is declining in numbers, and the question that the Minister has to ask today is not so much whether she can afford to do this. I appreciate that budgets are tight — I have seen the Executive’s Budget and there is not a lot of wriggle room in it — but I think the real question for the Minister, if we refocus it a little, is whether we can afford not to do something for the fishing community.

I congratulate my colleague on securing the debate. It is a very relevant debate, because the fishing community is not at fault: I do not think that it can be blamed for the price of fuel, and it certainly cannot be blamed for an easterly wind. I spent a number of hours at the community centre down there in Portavogie last Friday, and I know

the area reasonably well. There are songs in history about favourable easterly winds, and I can tell you that the easterly wind that has affected the fishing community in Portavogie at this minute is absolutely nothing to celebrate. Through no fault of its own, we have a community under massive pressure, a community that has never relied on welfare. Historically, if you look at the area and compare it to any other area of Northern Ireland, it compares extremely favourably. These are hard-working, decent people who put in a hard shift for several hours of the day, sacrifice their family time and go for days on end, and all they are looking for is a fair playing field to bring something back home. Through no fault of their own, but because of easterly winds, costs of fuel and restrictions from Brussels, they are on their knees. It is time to allow those people, who have put so much into the system and paid so much into Northern Ireland, to get something back out when they are at a critical point.

In 2011, we lost the 30 fishing jobs at Euro Shellfish. At that time, Sam Warnock of the Northern Ireland Fish Producers' Organisation said something very interesting. He said that the fishing industry was "going down the drain". He said that, for the fishermen, it was an industry that was expected to go on and that they expected to pass to the next generation. However, he concluded, just two years ago, by saying that no young person could go into a bank to get finance to invest in the fishing industry because the banks simply would not support them.

We have heard before about the fishing village initiatives, and we have had the fishing villages task force. However, we need a sense of hope that more will come through from axis 4. When Jim Shannon, the MP for the area, came up with Councillor Robert Adair to the Office of the First Minister and deputy First Minister, they raised the issue of what is available to help the community through this period and to allow it to continue. We took that debate on at Stormont with Diane Dodds and the Minister in DEFRA. Everybody realises the nature of the problem, but we now have to focus on the nature of the solution. A fisheries commissioner said:

*"I believe that small-scale fishermen greatly contribute to the economic progress and the preservation of distinctive social and cultural ... communities."*

Our small-scale fishermen are finding it extremely difficult, and they look to you, Minister, to see —

**Mr Deputy Speaker:** Will the Member draw his remarks to a close?

**Mr Bell:** — given all the pressures that they are under, whether you can provide hardship funding. As they have put so much in, it is surely now time to give the Portavogie fishermen something back.

**Mr McNarry:** At the outset, I say well done to Michelle McIlveen. Your case presentation was the best that I have heard in a long time on this matter and on fishing in particular.

Let me trawl another angle to the Members. In any illness, there are two ways to treat the patient: treat the symptoms or treat the underlying illness. Treating the underlying illness is the only way to affect a long-term real cure. My medical analogy is, of course, a reflection on the fishing industry. The symptoms that I refer to are the rules imposed by the EU common fisheries policy. Treating

those symptoms is simply another way of saying that we are trying to tweak the rules. But we are still living within the rules.

To treat a sick fishing industry means throwing away the rule book and getting rid of the common fisheries policy in its entirety. Only one party in the United Kingdom is committed to doing precisely that: it is UKIP. The common fisheries policy is the illness facing the fishermen in the fishing community of Portavogie. UKIP deplores the decision to sign over control of British fishing grounds, which contain nearly 70% of Europe's fish, to the EU common fisheries policy. UKIP has made the following pledges, and the fishermen of Portavogie must hear them. The United Kingdom must immediately withdraw from the common fisheries policy. The United Kingdom must reassert our territorial rights, reclaim our fishing grounds, restore our fishing fleet and support our own fishing industry for future generations. The United Kingdom must return £2.5 billion a year in fish sales to the United Kingdom economy. The UK must establish an exclusive economic zone extending 200 nautical miles from the UK coastline, over which the UK alone exerts total control. The United Kingdom must abandon all EU quotas and strictly forbid the shameful discarding of dead fish. Sometimes, up to 70% of catches are discarded, which is a shameful and wasteful total of around 800,000 tons a year. The United Kingdom must require that all — all, not some — commercial species of fish that are caught, regardless of size or species, must be landed and recorded.

UKIP believes that all this will allow a proper government to determine how best to manage the recovery of United Kingdom fishing grounds. To preserve the fish stocks, UKIP has proposed the establishment of a system of movable no-take zones, allowing fish to spawn and assisting recovery in overfished areas. UKIP plans to ban all forms of industrial fishing and pair trawling for bass. As we know, industrial trawlers have helped to cause a catastrophic decline in key fish species. UKIP will strengthen the United Kingdom's fishery protection force to guard British fishing grounds, so it is no more softly-softly. There it is in a nutshell: the cure, not the treatment of symptoms.

With respect, I know that Members to whom I have listened tonight and over many years are genuine and are trying to make things better for the Portavogie fishermen, but what is being suggested is not enough. It can never be enough until we come out of the EU. The real cure and the UKIP solution is to get out of the common fisheries policy and the EU. That is the best thing for the industry in general and for Portavogie in particular.

In the 10 seconds that I have left, I apologise to the Minister. I know that she is ill, but I have a prior commitment, and I am sorry that I have to leave and will not hear her response. I will read it in Hansard.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I join Members in thanking my colleague from Strangford for securing this pertinent and useful debate. I find myself agreeing with much of what she said about the context, although I perhaps differ on her analysis of the situation and the remedies that are or are not available.

All of us agree about the importance of a local fishing industry in Portavogie, Ardglass and, obviously, Kilkeel. We also agree that the local industry has experienced



difficult times in recent months, which have brought pressures on the homes of many fishing families in Portavogie, Ardglass and Kilkeel. I will not equivocate: many in our agriculture industry, as in our local economy in general, including construction and farming, are experiencing tough times, which affect many homes across the North.

As Members outlined, the reasons are varied. Crucially, the changing dynamics of the common fisheries policy have created certain pressures that the industry has been tackling over the past number of months, specifically the entire episode with selective gear, which was outlined. To this end, I welcome the Minister's recent announcement that she is establishing a research and development fund that is specifically designed to meet the challenges of European legislation and to enable our local industry to overcome future hurdles in this regard. I am not sure whether final plans have been put in place, but, as far as I can see from the press, it will be a significant investment representing hundreds of thousands of pounds for the adoption of fishing gear in line with European regulations. The establishment of the fund will be matched with an investment by the Minister in the upskilling of our fleet in safety training and upgraded safety features for the vessels. In addition, the Minister has confirmed that, subject to the completion of a business case, she will meet the full cost of replacing our local fleet's satellite monitoring system. That proposal represents hundreds of thousands of pounds.

Taking those three measures as a whole, the local fishing fleet will benefit from a substantial investment by the Minister and the Department that is just shy of £1 million. As our local industry grapples with the evolving challenges emanating from the common fisheries policy, especially any upcoming obligation to land all catches of fish — Members touched on that — we must recognise the significant measures that the Minister has initiated in recent weeks.

Will those measures help solve every problem and difficulty in the industry? Maybe not, but I am sure that the Minister, and indeed, all of us here this evening, will continue to engage with the local industry to help overcome the difficulties that may persist. It is important to lay this out: one thing that will definitely not help the industry is the inevitable detrimental impact of a reduced European budget and EFF that the DUP advocated at Westminster in calling for a reduction in the European budget. That is one thing that certainly will not help the local fishing industry.

### 9.00 pm

Although I wholeheartedly accept the difficult circumstances that our local fishing industry has worked in over the last number of months, I am not convinced that a hardship package at this time represents appropriate use of public funds. Let me emphasise the phrase "at this time". If, indeed, we find ourselves here later in the year, in October or November, and our fishing industry has endured a terrible summer, such a demand for a hardship payment might well be justified. We must recognise that, although poor weather had a detrimental effect on landings in March and April, landings in other months were as expected. As I say, if we are back here in the autumn and we can list months on end during which

landings have been decimated, then so be it, but we must be mindful that our most productive months still lie ahead and no fish quotas or days at sea have been lost. There is every chance that the rest of this year may bring great opportunities. Indeed, it should be remembered that, when a previous hardship package for our fishing industry was brought forward in 2008, the fleet went on to land more fish in that year than it had done in a century. That is an important point: there is plenty of time left in this year.

I fully recognise the difficulties that our local fishing fleet has endured — the evolving CFP represents various challenges and will do in the future — but, equally, I recognise the response that the Minister has initiated. On the issue of hardship payments, as I have outlined, I do not think that the time for it is now. If we are still here in the autumn or winter and the case remains the same, that is the time for it. We must make perfect use of public funds.

**Mr Rogers:** I thank the Member opposite for bringing the debate to the House.

Why is this important? As the Members opposite said, fishing makes a major contribution to our economy of up to £50 million. We are talking about expanding the agrifood industry; surely, fishing is central to that. It also creates jobs in fish processing. Another Member mentioned the solidarity of the fishing community: it goes right through — I was going to say to the chip shop, but it goes there as well.

Our fishermen are experiencing considerable hardship. Fishermen feel aggrieved that, after the terrible winter, farmers got a hardship package and they did not. However, there are many other hardships out there, many of them man-made. One of them would be like the slogan used in the washing machine advert: "The appliance of science". Fishermen know what stocks are in the sea, as opposed to what the scientists think is in the sea. There is that conflict. EU quotas and so on have been mentioned, as have the days at sea, the discards, the charges in Isle of Man waters and the requirement for different gear in different areas. In the past, when a fishing boat went out of Portavogie or Kilkeel and fished up along the Scottish coast and down along the English coast, it used one set of gear. Now it would need three sets of gear to do that. Other things such as plans for wind farms bring anxiety to farmers. Other people touched on that, and there are fuel costs, bank charges, poor prices and all that.

What affects Portavogie will affect Kilkeel and Ardglass. Portavogie is a lovely little fishing port in the borough of Ards. It is the easternmost settlement in Ireland and a real asset to the local community. The fishing fleet in Portavogie is experiencing many challenges that must be addressed, if we are to sustain this local industry. It has a good harbour and a good fleet that catches mainly prawns and herrings. Fish auctions on the quays are commonplace. The history of the fishing industry around our coast is captured throughout our towns. For example, in Portavogie, there are murals on the exterior of the local school. That shows that the people of Portavogie hold fishing in high esteem. So, it is imperative, therefore, that measures are put in place to support the community as it comes under market pressures.

If Brussels imposes further measures on fishermen, it will have a serious impact on fishing fleets and the fish processing industries along the coast. We talked quite a bit

about EU quotas, and our Southern colleagues come out of the EU quotas better than we do.

I agree with other Members that we need a hardship payment but not a hardship payment for the fishermen alone; it should be for the fishing communities. Minister Attwood raised the plight of fishermen at last week's Executive meeting. I cannot agree with Chris: the fishermen are on their knees, and this hardship needs to be tackled immediately if we are to have a fishing industry next year. It is essential that the fishing communities and the fishing industry throughout the County Down ports are sustained and protected. I ask the Minister to consider axis 4 and let us know what is happening with that.

**Mr Wells:** This is the story of the three Michelles: the good, the bad and the very bad. I was not going to go down the route that you were expecting, I can assure you [*Laughter.*] The good, of course, is the honourable Member for Strangford, the young and virtuous Michelle McIlveen, the fearless champion of the fishing industry in Portavogie and, indeed, throughout County Down. She made a very eloquent case for supporting our fishing industry. Then there was Michelle Gildernew — whatever happened to Michelle Gildernew? — the former Minister of Agriculture and Rural Development, who was less hostile, I have to be fair, to the fishing industry than her younger successor. She tried, I think, at times to empathise with the industry. She failed, but at least she was prepared to sit down with the industry and discuss its concerns at length and give a sympathetic ear. Then we have the honourable Member for Coalisland, who has vast experience of a fishing industry in Fermanagh and South Tyrone and is showing all of that experience in her decisions.

I was first elected to the Assembly in 1982, and, on 12 July, all the fishing fleet came in for the holiday period. You could physically walk from one side of Kilkeel harbour to the other on the top of the trawlers pulled up for the Twelfth fortnight. If the honourable Member for Fermanagh and South Tyrone were to try that now, she would sink very quickly indeed, such has been the dramatic fall in the number of fishing trawlers not only in Portavogie but in Kilkeel and Ardglass. It is a terribly sad sight to see the decline of the trawling fleet. We have a few pelagics left, we have next to no cod or white fish fleet at all, and now we have all our eggs in one basket: prawns.

The Minister's split personality is interesting. This is the Minister who is perfectly happy to give out — in my opinion, quite rightly — very significant subsidies to the farming community. At the last count, the single farm payment came to £310 million, although that depends on the level of the euro. I was very supportive of the introduction of single farm payments. Society is saying to the farming community, "There are certain restrictions on what you can do in your industry. There are various measures — you cannot pull out your hedges, you cannot drain your wetland and you cannot use fertilizers or pesticides in certain circumstances — and we recognise that that restricts your ability to bring in a decent income. So, we in the European community and in the British Exchequer decided to give you a single farm payment as compensation for the role that you play in environmental protection". I think that that is a win-win situation for the farmer and the general community. What does the fishing industry get? It gets no single farm payment-type payments at all. It gets nothing.

We had the situation that developed at the end of the spring, around Easter, when we had the terrible snowfalls that afflicted my constituency, East Antrim etc. What did the Minister do? Quite rightly, she immediately announced a £5 million emergency payment to the farmers, but it never occurred to her in Coalisland that the wind that brought the snows and the rain to the farmers of East Antrim and South Down also affected the fishing fleet. That was ongoing for many weeks, and they simply could not go out and catch a decent income for them and their families. In her response to a written question that I submitted, the Minister said that any form of subsidy or grant aid would not represent good value. Good value to whom? Presumably, good value to her Department, but with absolutely no thought for the implications for rural coastal communities in Northern Ireland.

I am afraid that the impression that I get from this Minister is "The answer is no. Now what is the question?". There seems to be no empathy, support or understanding for the fishing community. That is unfortunate. Sadly, I have to say this: she knows that there are no votes for her or her party in her stance. There are certainly no votes in the fishing industry in Fermanagh and South Tyrone, and there are certainly no votes for any of her party's main support bases. I wonder whether that is the reason for what is going on.

**Mr Frew:** I applaud and support the Adjournment debate that has been brought by my colleague Michelle McIlveen. It is a very timely one in support of the fishing industry, in particular the port of Portavogie, which is struggling.

I will blow out of the water some of the myths that have gone around this place tonight. The comment was made that the industry is sick. It is not sick; it just needs to be supported. When the UKIP Member reads the Minister's statement in Hansard tomorrow, I hope that he will read what I have said, and I hope that he will apologise to the industry. It is not sick. It is an industry that is here for the long haul. It is a sustainable industry that, with the right support, can make millions of pounds for the economy and can produce good, decent, high-protein food.

I acknowledge that the Minister is, indeed, ill. She was off yesterday, and, if she has read yesterday's Hansard, I hope that she will acknowledge that, in my lambasting of her with regard to the farming industry, I wished her well in her illness and wished her a speedy recovery. However, let us get back to the job at hand — the fishing industry.

The weather plays a major part, and my colleague Jim Wells said it right: the easterly wind that brought the snow also brought hardship to the fishing industry of this country. That needs to be recognised. You have to draw parallels between fishing and farming; it is all agriculture, or, at least, it should all be deemed agriculture. It is about producing food. When the common agricultural policy and the CFP are produced from Europe, that is an acknowledgement from Europe that those industries — this agriculture — are not your normal industries. There is a social element that we depend on, and it is to produce food and it is about food security. Fisheries are as much a part of that as agriculture. It might be smaller in Northern Ireland, but it is just as important in the food that it produces through its protein. That food could be used and exported all around the world. If we get that right, very little of it will be wasted. It is important that the Minister sees fit to support the industry in the best way forward.

Let us look at the parallels. When we had the snow crisis, which affected only a small sector of farming, we were able to announce within days that we were looking for a hardship fund, and rightly so. We were able to pull millions out of somewhere to relieve the pressure on hill farmers. It is not good enough to say, "Well, it is a small section. The fishing industry is here and there and is comparable to other industries". We should support our fishing industry, and we should acknowledge the weather and its impact. It is agrifood; it is part of the industry.

#### 9.15 pm

We have the 'Going for Growth' document. Let me tell you, the fishermen and the trawlermen, like the farming industry, which is another parallel, cannot yet relate to that document. They can see what it means and what it aspires to but cannot yet see the mode of travel to get from where it is to where it should be. That is a challenge for the Minister. She must bridge that gap and give hope to an industry.

I want to nail a point that her colleague Mr Hazzard made about the EFF and reductions in the budget. That would be OK if he and the Minister could demonstrate why only £10 million of the available £18 million has been committed. We have to get better at using the funding and support that we already have.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close.

**Mr Frew:** I commend Michelle McIlveen for bringing this before us. I appeal to and plead with the Minister not to turn her face from fisheries and to support them with some sort of funding that will make them even more sustainable and get them by this lean period.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. I hope that my voice holds out until the end of the debate.

I thank Michelle McIlveen for securing the debate. We have another debate at the start of next week, so I welcome the opportunity that we will have then to discuss the fishing industry further. You should not be sorry for securing the debate: it is a worthy topic. I am happy to come to the Chamber whenever needed to discuss it further with all Members.

I hope to be able to address many of the issues that Members raised but also to set out the position that I have taken to date and my assessment of the current position. I assure the Member for South Down Jim Wells that my position is not based on populist politics. I am absolutely interested in making sure that I carry out my role seriously, and I respond to the needs of the industries that I am here to represent and work with. Whilst he may not agree with everything that I do or say, I want to make that point clear from the start.

I understand that the Portavogie fishermen are frustrated. It has been such a difficult year so far with the weather but also towards the end of 2012, as the Member rightly set out in her opening remarks. Members have called for a hardship fund similar to that being offered to the farming community. Whilst I recognise that both sectors were affected by the bad weather, farmers experienced physical

stock and fodder losses, which is different, and those have to be replaced.

Poor weather in March and April definitely had a dramatic effect on landings, and I totally take that on board. However, landings in January, February and May were more typical for this time of year. For the year to the end of May, landings of prawns by our fleet into Portavogie were down about 22% overall compared with the five-year average for this stage of the year. Although I fully accept that that is significant for the vessels, particularly when our vessels are not fishing, fish quotas and days at sea are not used up when they are not fishing. The fishing opportunities, the quota and days at sea still remain for 2013. The Member pointed out that she did not accept that there is time to make up the ground. I do not necessarily agree with that assessment.

My colleague set out very clearly the position as things stand at this moment in time. I believe that a pure hardship package is not appropriate at this moment in time. However, I recognise that the industry is going through a challenging period, and I am happy to keep that under review. I take it on board that more changes will arise as a result of the new common fisheries policy.

**Mr Wells:** Will the Member give way?

**Mrs O'Neill:** Yes.

**Mr Wells:** The Member may welcome the opportunity to rest her voice for a few seconds. What she said was significant: she confirmed that the catch was down by 22% at the end of March. She seems to be tantalisingly suggesting that, if that situation remains at the end of the year and there is a very significant drop in catch, she will revisit the idea of a hardship package and consider introducing some form of grant aid or help for the fishing community. Can she confirm that that is indeed the case?

**Mrs O'Neill:** My door is never closed to anything. I clearly said that I did not believe that a hardship package was justified at this moment in time. There are opportunities in the weeks and months ahead for the days at sea to be used and the quotas to be fished. If we find ourselves in a difficult situation further down the line, I will be very happy to look at the situation again. I think that I have made that very clear, and I have put out a press release to that effect. I hope that that message is getting out there. As I said, I believe that, at this moment in time, that is not where we are at.

I recognise the problems that the fishing industry has been dealing with and the challenges that it has ahead, particularly because of the common fisheries policy. We have been looking at what other measures we can take to support the industry. Financial resources will be made available through the European Fisheries Fund to include the establishment of a research and development fund, specifically to develop fishing gear with very low rates of unwanted fish. We will need to discuss the details of that with the industry, but it is anticipated that, over the next two years, some £200,000 of support will be available for the adoption of highly selective devices, and around £300,000 of support will be available towards a complete change of fishing gear. In addition, further financial assistance will be provided to the industry to review and improve skills and safety within the fleet. Finally, subject to the completion of a business case, I will consider support for the full cost of replacing the fishing fleet's current vessel satellite

monitoring systems with a new multifunctional system. Subject to approval, that will be worth around £240,000 to the fleet. Contrary to what Miss McIlveen has said, I do not think that that is unwelcome. It is a £240,000 cost to the industry, and it is something that I will be able to support the industry with, subject to the business case. I do not think that that is something to be dismissed and thrown to the side.

I am picking up on some of the points that were made, particularly around highly selective gears. Again, Miss McIlveen picked up on the issue of highly selective gears. Had I not intervened and had I not gone to the Commission in Brussels and talked to it about what our industry was prepared to do, the industry would have had a Swedish grid imposed on it. That is something that the industry did not want. We were also able to get agreement from the Commission not to cut quotas, because we were able to go away and trial our own gear. Those are things that the industry was supporting. To me, that was a very positive move, and, had we not done those things, we would have had a much more difficult 2012. Again, I think that that is testimony to the support that I am prepared to give to the fishing industry: the fact that I am able to go out to Europe and fight the industry's corner and the fact that I went again in December and got an increase in quota. I do not think that anyone can dismiss those as the acts of someone who does not look towards the interests of the fishing community. I put that on record.

The need for the vessel decommissioning scheme is complex, and you will find different views even within the industry. You will have the catching sector's view and the processing sector's view. Even within the catching sector, you will have a good variance of views. So, it is not a simple process. After meeting lots of industry representatives, I undertook to consider the vessel decommissioning scheme again last year. When I talked to the industry, it was made clear to me that it was not something that it was interested in, because it did not want to have a cap on the capacity for the time after that. That was a decision that was taken on the basis of listening to all views. You cannot listen to just the catching sector; you also have to be mindful of the processing sector. They are all equal partners in their contribution to the agrifood industry.

I have set out the three areas that we have worked at in respect of financial assistance, and I have said that I am committed to working with the industry in the time ahead, when we see how the next number of months pan out.

I think that it was Mike Nesbitt who asked about what EFF has been spent to date. There has been just under £10.4 million in grant awarded to 160 projects across six measures, and around £7.12 million of that has been spent to date. It is significant.

Jonathan Bell asked about looking to the future and EFF. By way of an update, I say that the Department is currently considering an axis 4 local development strategy and associated business case. That has been submitted by the south east fisheries local action group (SEFLAG). The business case, once approved, envisages a further investment of £2.5 million of public investment in the fishing-dependent communities in County Down. Consistent with the EFF ethos of a bottom-up approach, the SEFLAG will be responsible for selecting the projects to be funded. The extent of the investment that

Portavogie will receive will, therefore, depend on the grant applications that have been made through the SEFLAG's decision on those applications. I am sure that Portavogie will have quite a good opportunity to be able to avail itself of that.

I think that what I have set out makes it very clear that I fully support a thriving, sustainable fishing industry into the future. I was delighted that it was part of the overall agrifood strategy work and part of a subcommittee. That is important because we need to look at future challenges and what the industry needs to survive. I accept that there are challenges, but Members should take it on board that I am taking action and am committed to looking at the industry in the future. I will do that in the time ahead.

In finishing, I will point out that I am from Clonoe, which is a small village outside Coalisland. We are very parochial down my way. I point that out to the Member for South Down. I also put it on the record that I represent Mid Ulster not Fermanagh and South Tyrone.

*Adjourned at 9.25 pm.*

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# Northern Ireland Assembly

Monday 17 June 2013

*The Assembly met at 12.00 noon (Mr Deputy Speaker [Mr Dallat] in the Chair).*

*Members observed two minutes' silence.*

## Speaker's Business

### **Public Petition: Sculpture Celebrating the Shirt Factory Women of Derry/Londonderry**

**Mr Deputy Speaker:** Ms Maeve McLaughlin has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak on the subject.

**Ms Maeve McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. First of all, I welcome the opportunity to present this public petition on the Floor of the Assembly. The issue of the factory girls sculpture for Derry has been dragging on for the past seven years. The work was commissioned, a site was identified and an artist was appointed some years ago. However, work on the original site was halted because of issues outside the artist's control. An alternative site in Harbour Square in Derry was then identified, but, since then, the project has faced a series of obstacles and bureaucracy, resulting in the artist withdrawing her support and services from the project in a very public manner earlier this year.

Part of the artwork lies rusting in storage. This has been totally unacceptable not only to the artist but to the many tens of thousands of Derry women and, indeed, Derry men who worked in factories for many generations and were, in effect, the backbone of the Derry economy. Their role and their stories deserve to be remembered as part of the fabric of Derry's history. Taking seven years to erect a sculpture is not acceptable in anybody's book. It begs this question: did the will exist to do this?

I want to acknowledge those who, over the past number of months, have not let the issue die or have refused to let it go and have been to the fore of this campaign. They are able to join us today. I want to single out a number of people: Isabel Doherty; Clare Moore; Mary Doherty; Margaritta Matthews; and Diana King, who, unfortunately, cannot be here today.

I urge the Minister for Social Development to listen to the people of the city, to unlock the blockages that exist, to allow the story of many, many thousands of Derry women to be heard and to allow this sculpture to be erected in order to ensure that it is a lasting legacy of the City of Culture 2013.

*Ms Maeve McLaughlin moved forward and laid the petition on the Table.*

**Mr Deputy Speaker:** I will forward the petition to the Minister for Social Development and send a copy to the Chairperson of the Committee.

## Assembly Business

**Mr Allister:** On a point of order, Mr Deputy Speaker. According to the public media, last Friday, a significant economic pact that affects the House and the Executive of the House was apparently agreed. Yet again, we come to the House this week and it seems that there is no plan for any statement about that matter. When, if at all, will the contempt of the Office of the First Minister and deputy First Minister (OFMDFM) for this House be reigned in? Might we expect to have a statement made at some point so that the Members might be informed?

**Mr Deputy Speaker:** Order. I am sure that the House will understand that other events are taking place today that may be keeping the First Minister and deputy First Minister fully occupied. Of that, I have no doubt. However, I am sure that they will also be considering how they might inform the Assembly about recent developments.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. My point of order is in respect of a recent interpretation and application of Standing Orders 17(4) and 17(5). The Assembly is governed not only by these Standing Orders but by the precedent set by rulings of the Speaker and yourselves. I refer you to a ruling made by the Speaker on 27 September 2011, where he set out arrangements for the speaking order, who can speak and when people are allowed to speak. Standing Orders call for a consultation between the Business Committee and the Speaker, and I wonder whether the appropriate consultation has taken place. I also wonder why such action should be taken when it affects only one party to its detriment. This goes against the principles of inclusivity in the House, and perhaps it might have been better to wait until the Committee on Procedures had reported before a decision was made.

**Ms Ruane:** Further to that point of order, I would like the House to know that my party was happy with the way it was working. We believe in inclusivity and are disappointed that it has changed.

**Mr Deputy Speaker:** Sorry, I really need to deal with the first point of order first, and I should have done that.

Speaking arrangements are a matter for the Business Committee in consultation with the Speaker. I do not intend to allow the House to open up this issue or to engage in a debate about the Business Committee's decision. What I will say is that the Committee on Procedures will be asked to consider issues relating to the emergence of new political parties or groupings during a mandate, including speaking arrangements. In the interim, the order in which

Members may be called to speak has been revised. I will take no further points of order on the matter. If Members have queries, they should approach the Table. We will move on.

**Mr B McCrea:** Further to that point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** I have made it perfectly clear that I do not intend to take any other points of order, and I ask the Member to resume his seat.

## Executive Committee Business

### Financial Provisions Bill: First Stage

**Mr Wilson (The Minister of Finance and Personnel):** I beg to introduce the Financial Provisions Bill [NIA 22/11-15], which is a Bill to repeal the Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968; to enable the Department of Agriculture and Rural Development to pay grants to certain harbour authorities; to make provision in relation to the payment of interest on funds in court; to make provision enabling the Northern Ireland Housing Executive to recover certain costs; to make provision for the disclosure of data obtained by the Comptroller and Auditor General for data matching purposes; to enable the Department of Justice to make payments to certain bodies providing services for the police, etc.; and for purposes connected with those matters.

*Bill passed First Stage and ordered to be printed.*

## Assembly Business

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. It is about the use of unparliamentary language in the Chamber. On 24 November 2009, the Speaker made a ruling about expecting:

*"standards of courtesy, good temper and moderation." — [Official Report, Bound Volume 46, p81, col 1].*

When discussing the Budget (No. 2) Bill, the Minister of Finance and Personnel, from a sedentary position, called me a fool twice. It is on the record. I wonder whether that —

**Mr Deputy Speaker:** Order, please. The Member was in the Chamber. He knows well that that was the time to raise the issue, not now.

## Executive Committee Business

### Public Service Pensions Bill: First Stage

**Mr Wilson (The Minister of Finance and Personnel):** I beg to introduce the Public Service Pensions Bill [NIA 23/11-15], which is a Bill to make provision for public service pension schemes; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

### Budget (No. 2) Bill: Consideration Stage

**Mr Deputy Speaker:** I call the Minister of Finance and Personnel, Mr Sammy Wilson, to move the Consideration Stage of the Budget (No. 2) Bill.

*Moved. — [Mr Wilson (The Minister of Finance and Personnel).]*

**Mr Deputy Speaker:** No amendments have been tabled to the Bill. I propose, therefore, by leave of the Assembly, to group the seven clauses of the Bill for the Question on stand part, followed by the three schedules and the long title.

*Clauses 1 to 7 ordered to stand part of the Bill.*

*Schedules 1 to 3 agreed to.*

*Long title agreed to.*

**Mr Deputy Speaker:** That concludes the Consideration Stage of the Budget (No. 2) Bill. The Bill stands referred to the Speaker.

### Licensing of Pavement Cafés Bill: First Stage

**Mr McCausland (The Minister for Social Development):** I beg to introduce the Licensing of Pavement Cafés Bill [NIA 24/11-15], which is a Bill to make provision for the regulation by district councils of the placing on public areas of furniture for use for the consumption of food or drink.

*Bill passed First Stage and ordered to be printed.*

## **Gambling (Licensing and Advertising) Bill: Legislative Consent Motion**

**Mr McCausland (The Minister for Social Development):**  
I beg to move

*That this Assembly endorses the principle of the extension to Northern Ireland of the Gambling (Licensing and Advertising) Bill.*

The Gambling (Licensing and Advertising) Bill was introduced at Westminster on 9 May 2013. The primary purpose of the Bill is to alter the regulatory system of remote gambling in Great Britain so that it is regulated on a point-of-consumption basis rather than point of supply, as is currently the case. The proposal to reform remote gambling legislation was announced by John Penrose MP, the then Minister for Tourism and Heritage, on 14 July 2011. It is intended that the legislation will come into force in December 2014.

Under the new system, operators who wish to transact with consumers in Great Britain will be required to obtain a licence from the Gambling Commission and will be subject to its regulations, technical standards and social responsibility requirements. That will mean, for example, that operators are required to assist in the fight against illegal activity and corruption in sports betting by informing the Gambling Commission of suspicious betting patterns.

Members will be aware that gambling is a devolved matter. However, the advertising of foreign gambling in Northern Ireland is regulated by section 331 of the Westminster Gambling Act 2005. As part of the current Bill, it is necessary to repeal this provision, which had the potential to leave Northern Ireland consumers exposed to unregulated remote gambling operators. For this reason, provisions will be included that require remote gambling operators to have a Gambling Commission licence to advertise to Northern Ireland consumers. As a result, consumers here can be assured that they will continue to have the same protection as consumers in Great Britain from the advertising of remote gambling.

In summary, I welcome the introduction of the Gambling (Licensing and Advertising) Bill at Westminster and that its provisions will be extended to Northern Ireland. I trust that Members will approve the legislative consent motion before the House, which will ensure that Northern Ireland consumers are protected from advertisements by unlicensed remote gambling operators.

**12.15 pm**

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for bringing this legislative consent motion to the Assembly. The Minister has, of course, outlined the reason for this.

The Committee considered the idea of the Department here proceeding unilaterally but felt, after receiving advice from the Minister and guidance from the Department, that that would be unnecessary at this point.

The Committee had briefings from the Department on the wider issue of gambling legislation. Of course, we understand that gambling can be a contentious issue. Although the industry undoubtedly provides employment, there are potential risks. We know that individuals,

unfortunately, can and do run up unmanageable debts that can have a wider impact on their family and friends. Therefore, the Committee has taken the view that we must strive to strike a balance between the protection of the consumer and facilitating the development of the gambling industry.

Although the Committee supports entirely the LCM before us today, we look forward to discussing with the Department further developments in wider gambling legislation.

**Mr McCausland:** I thank the Chair of the Social Development Committee for his comments on the legislative consent motion. I appreciate the time that the Committee took to consider the matter when dealing with a wide range of other important legislation.

I welcome the broad agreement for the proposal to extend this to Northern Ireland. Consumers here need to be protected from unregulated remote gambling operators, and the consent of the Assembly is required if they are to benefit from the protection that the Bill provides. I thank Members for their support and seek their approval for the legislative consent motion as tabled.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the Gambling (Licensing and Advertising) Bill.*

## Committee Business

### Integrated Endometriosis Service

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** I beg to move

*That this Assembly calls on the Minister of Health, Social Services and Public Safety to initiate and expedite an inquiry into the urgent need for an integrated endometriosis service to address the severe suffering experienced by women with this condition across Northern Ireland.*

Go raibh maith agat, a LeasCheann Comhairle. On behalf of the Committee for Health, Social Services and Public Safety, I am delighted to move the motion. I hope that the Minister is on his way. If not, Mr Deputy Speaker, I ask that a copy of the Hansard report be given to him. This is a very important motion and a very important issue that the Committee has taken on. I accept that, given the day that is in it, people are probably caught up in other places.

Endometriosis is a condition that many people know very little about, and I assume that many in the Chamber know very little about it. It affects one in every 10 women between the ages of 25 and 45. The exact cause of the condition remains unclear, although the disease has been known of for decades.

Endometriosis behaves like cancer, although the abnormal tissue is non-malignant. It is caused by the growth of abnormal tissue in places outside the womb, typically the ovaries. It can spread within and outside the pelvis and can invade the bladder and the bowel. Women who suffer the condition have what they initially believe to be period pain. However, as the disease progresses, women can suffer chronic pelvic pain, pain on urinating and pain associated with bowel movement. It is a long-term condition, and at the minute there is no cure.

The disease not only causes extreme pain but, if untreated, can lead to reduced fertility and, indeed, infertility. There is also a strong link with depression. Women with endometriosis often have to take long periods off work. They develop issues with their body image and relationship difficulties. That can all lead to low self-esteem and depression.

One of the problems that women with endometriosis face is getting a diagnosis in the first place. The symptoms can vary greatly and often mimic those of other conditions. Unfortunately, that means that, on average, women wait from seven and a half to nine years for a diagnosis. A recent survey showed that many women wait nearly two years before visiting their GP about their symptoms and that, on average, it is a further four years before they are referred to a specialist. The condition is progressive, so that, by the time that it has been diagnosed, about 5% to 10% of sufferers have the severe form of the disease. Action needs to be taken to raise awareness among women and GPs on the symptoms of the disease.

Although there is no cure for endometriosis, the symptoms can be managed with pain-relieving drugs, hormone therapies and surgery. Those treatments can help manage the pain, reduce the severity of symptoms and improve fertility and quality of life for a woman living with the condition. Guidelines from medical professionals recommend that women with the disease be managed in endometriosis centres by a dedicated multidisciplinary team. Regional endometriosis centres and networks are well established in England, and long-term data demonstrate that those centres improve treatment outcomes in a similar way to improvements in cancer treatment brought about by the introduction of regional cancer centres.

A single dedicated endometriosis clinic staffed by a consultant gynaecologist runs once a month in the Belfast Trust. However, that is not sufficient to treat the number of women with endometriosis. There is a need for a multidisciplinary team to be set up. That would improve waiting times for surgery, which currently can be anything up to 18 months. It would also allow a more holistic form of care to be provided to help women manage the condition; for example, therapies such as counselling and pain management have been shown to be effective. In my view, that sort of service should be provided in a new women and children's hospital. The Committee has recently learnt that the Department intends to proceed with plans to progress that as two separate projects: a new maternity hospital and a new children's hospital. That is far from ideal. We need a hospital dedicated to women's needs that goes much wider than maternity issues.

A condition such as endometriosis can have a devastating impact on a woman's life — on our sisters, our daughters, our nieces and our friends. Effective and timely treatment needs to be prioritised so that women are not suffering in silence or without the proper support and help that they deserve.

A number of weeks ago, I and other Health Committee members had the honour of attending a breakfast meeting facilitated by Barry Turley. We listened to the stories of two women who suffer the condition. To me, as a young woman — well, I think I am a young woman — it was a condition that I knew very little about. There are a number of reasons why we tabled the motion for today. It is to raise awareness among women, families and communities that women who have the condition are suffering. Some of them are suffering severe pain. It is also to raise awareness among our GPs and medical professionals and among the Minister and his Department that it is a condition affecting a lot of women. We need to get our heads around the issue and ensure that services are put in place, look at what is happening and what is best practice in other countries and lift that so that we can move the issue forward here.

One of the women, in sharing her story with us, told us that she attends three different venues in a certain trust area. She has to tell her story three times, and she has to get three sets of notes prepared. She feels that every time she goes for an appointment to deal with the disease it is back to square one. I appeal to the Assembly to support the motion. I appeal to the Minister in his contribution to the debate to tell us exactly what he is going to do to move it forward. I appeal to all in the Assembly: when we talk about the new women and children's hospital, it is



not about delivering babies; it is about something that is women-centred, women-focused and designed for women. The sooner we move to get that in place — we have been talking about it over 12 years — the sooner conditions and diseases such as endometriosis can be dealt with in a venue that is solely for women.

**Ms P Bradley:** I rise as a member of the Health Committee to support the motion. I agree with the Chair of the Committee on the importance of the motion. I hope that, through the motion, awareness will be spread across our country of the importance of women going to attend their doctor with any of these signs or symptoms.

Endometriosis is a condition that blights many women's lives in Northern Ireland. At present, as the Chair said, the average waiting time in Ireland and the UK from the onset of symptoms to diagnosis is nine years. That is nine years of suffering from severe pelvic pain. It can also include painful intercourse and unexplained bleeding. As the symptoms are often similar to so many other conditions, including certain cancers, the uncertainty of waiting to hear what is causing the symptoms can have a severe psychological effect, not only on the women but on their entire family. Often, by the time diagnosis is made, the disease is at the severe end of the scale and can affect other organs in the pelvis.

Severe endometriosis is more common than uterine and cervical cancer combined. The physical and social costs of the condition cannot be underestimated. It causes women to have absences from work and issues with self-image and mental health, and relationships can be impacted negatively. Women with the disease may experience infertility or problems conceiving, which in itself brings on a raft of problems for them and their family. Some 85% of women with the condition experience depression, with 30% of those being in the severe category. Many women also face issues of embarrassment about their condition that can delay them in seeking treatment or gaining understanding from their work colleagues or friends. We need to look for a solution that deals with all those issues and does not focus just on a medical approach to the problem.

It is recognised in the medical world that a gynaecological approach alone is not always successful in the treatment of the condition and in improving the quality of life for sufferers and their families. The best approach is a joined-up, multidisciplinary one. To that end, the Royal College of Obstetricians and Gynaecologists/British Society for Gynaecological Endoscopy guidelines recommend that women with severe disease or those with intractable symptoms should be treated in endometriosis centres by a dedicated multidisciplinary team.

I am pleased that the Belfast service has been established, but such is the prevalence of the disease that the service is very much under-resourced and disjointed. This means that the service has had to run on an ad hoc basis, relying on considerable goodwill. We need to develop the service into a holistic, women-centred approach on a single site, where medical and surgical treatment can be offered alongside paramedical therapies.

### 12.30 pm

The condition is of significant cost to the economy, women and the wider community. We have the skills, we have seen that we have the goodwill, and we have the demand.

What we need now is a master plan for how we will provide women with access to timely help to enable them to effectively manage their condition and get effective treatment early to stop it progressing to a more advanced stage. I support the motion.

**Mr McDevitt:** On behalf of the SDLP, I support the motion. It is worth noting that conventional gynaecological medical and surgical treatments are not always successful in achieving improvements in quality of life for patients with endometriosis and that the input of members of a dedicated multidisciplinary team is always necessary. Royal College of Obstetricians and Gynaecologists/British Society for Gynaecological Endoscopy joint guidelines recommend that women with severe cases of the disease or intractable symptoms be managed in recognised endometriosis centres by a dedicated multidisciplinary team. Regional centres and networks are very well established and are, indeed, the practice in England. Long-term data demonstrates that endometriosis centres improve treatment outcomes, similar to how the outcomes of cancer treatment are improved by established regional cancer centres.

The Belfast service was established, headed by a gynaecologist with a special interest in the management of endometriosis. A colorectal surgeon, a urologist with a specialist interest, fertility specialists, a radiologist and members of the pain management team were also part of that centre. Demand for the service in Belfast has increased in recent years due to growing numbers of referrals from within and outside the trust area. The team has operated on an ad hoc basis, with a considerable degree of goodwill, within the confines of the job plans of the consultant staff involved. However, even though it is on a single site, it is a rather disjointed arrangement. As a result of the reorganisation of the service within the Belfast Trust, the service has fragmented even further.

The caseload undertaken in Belfast far exceeds that which is necessary to achieve recognition of the need for an endometriosis centre. Given that, it is disappointing that there is no sign of any planning for such a centre, even in the face of such demonstrable need. I think that there is consensus on the Health Committee that a single dedicated centre, staffed by a consultant gynaecologist, needs to be established and that, as well as the consultant gynaecologist, there needs to be a pain management specialist, a psychologist, a colorectal surgeon, a urologist, and research and specialist nursing support. In my opinion, that is why it is important that the motion is before us today. Holistic, women-centred and women-focused care is essential to improve the symptoms associated with the condition. Medical and surgical therapies play a central role, but paramedical therapies such as counselling and pain management, including cognitive-based therapies and other alternative therapies should also be offered. Ideally, all those services would be located in a specialist centre.

Waiting times for surgery need to be shortened because the impact of the condition on quality of life and ability to function effectively in a social context is profound. Both my female colleagues who spoke before me spoke frankly and honestly about that. As a man, I feel unqualified to comment on the real impact of endometriosis because it is very difficult to understand just how debilitating such a condition must be.

**Ms S Ramsey:** Will the Member give way?

**Mr McDevitt:** Yes, indeed.

**Ms S Ramsey:** I appreciate the Member saying that, and I know that he is not saying that this is just a woman's issue. It is women who suffer from endometriosis, but the condition has an impact on family life. I have listened to husbands and boyfriends who have spoken about the impact that it has had on their relationship because they cannot do anything to support their wife.

**Mr McDevitt:** I thank the Chair for that observation. I will close by picking up on that remark and make the point that effective clearance of disease results in significantly improved fertility post-operation. The broken family situation that could arise when a spouse contracts endometriosis can quickly and very positively be addressed if the woman in the relationship has access not just to the medical treatment but to the holistic treatment that is required in order that she can play a full role in family life, if she is part of a family, and can receive the support that is necessary from her spouse and her loved ones. I support the motion.

**Mr Beggs:** I, too, support the motion. Endometriosis affects thousands of women in Northern Ireland and hundreds of thousands of women in the United Kingdom. In a recent Assembly answer to a question from the Chair of the Committee, the Health Minister indicated that some 1,155 hospital admissions in Northern Ireland in 2011-12 were as a result of diagnosis of endometriosis.

The lack of awareness of the condition is of particular concern, and that is why I welcome this debate. As other Members said, the condition is indicated by a range of very common symptoms, such as heavy period pains, lower abdomen or back pain and fertility problems. There are other symptoms such as discomfort when urinating, bleeding from the rectum, bowel blockage and coughing up blood. Side effects include lack of energy, depression and fertility issues.

The very nature of the range of symptoms results in the involvement of a range of specialists in investigating the undiagnosed condition, including gynaecologists, urologists, gastroenterologists, fertility experts, endocrinologists, as well as specialists in pain management to help sufferers to get through the condition. Ultimately, the gold standard test, which most sufferers will undergo after a long route, is the laparoscopy under general anaesthetic.

Only 20% of the population know about the condition. In a 2006 briefing to the all-party parliamentary group of MPs, sufferers, especially younger women, indicated that only 50% of GPs had taken them seriously. Surprisingly, 33% of gynaecologists did not take women with the condition seriously in the early presentation; indeed, 45% of women with endometriosis had seen a physician five or more times before diagnosis. There is a long and torturous path to travel before the correct diagnosis occurs.

It is particularly concerning because, when the illness has been diagnosed, given the range of ailments that I described, people's worst fears are that it can result in a wide range of other conditions. Ultimately, if they are not receiving appropriate treatment, that can cause great concern for their well-being and mental health.

Often, in the early stages, about two thirds of cases were found to have been misdiagnosed, which resulted in

ongoing suffering, poor use of National Health Service resources, frequent accident and emergency department attendances and difficulty in retaining employment. The cause or trigger of endometriosis is largely unknown. It is a long-term condition, which can become chronic.

Another area of concern amongst women with this condition is the patchy nature of the specialist pain clinics across the different health trusts in Northern Ireland. I am aware of concern within my area and that additional resources need to be given to the Northern Health and Social Care Trust's pain clinic, because pain management is often a key issue in trying to improve quality of life.

Treatment can comprise hormone therapy, surgery or even, in the most severe cases, hysterectomy. Surgery is often complicated by the range of specialists required and the lack of joined-up procedures involved. That may result in additional delays and multiple operations on the individual.

What can be done? Like other Members, I support investment to try to create an integrated endometriosis service in Northern Ireland, which will provide and improve the care that sufferers receive. Although the long-term vision is for a new women's hospital, such a building would be a number of years away even if it was commissioned today. So, it is essential that we move now to try to bring together the specialist team that others have talked about in order to provide that integrated service, have a better co-ordinated use of specialists and improve the lot of those involved.

In England, nurse-led clinics have been widely used to increase support for those with this condition. So, I too support the establishment of a regional endometriosis centre with a dedicated interdisciplinary team to improve diagnosis for those who suffer from this condition and to improve their lifestyles.

**Mr McCarthy:** I am pleased that we have the opportunity to debate this important subject. I thank Sue Ramsey, the Chair of the Health Committee, for bringing it to the attention of the Assembly.

As has been said, endometriosis is a common condition that can affect a wide range of women, particularly those who are in their reproductive years. Based on a demographic read-across in the UK, it could affect over 50,000 in Northern Ireland and maybe twice that number. Therefore, this must be an issue of concern to everyone.

Although the condition can be managed, we must acknowledge that it can have an impact on the lives of women, on their physical and mental health and on their work and lifestyle and that it can cause pain and discomfort and be totally stressful. There is no doubt that this condition has a significant economic cost. Encouraging maximum participation in our economy and other aspects of our society among people of all backgrounds is essential. So, any additional costs involved in the provision of a more integrated service to address this condition should be seen in that context.

It is important to raise wider awareness of the condition and to ensure that sufficient information is widely available. That includes reassuring women that it is not an infection, is not contagious and is not cancer. We must also do more to encourage women to seek advice and treatment, if appropriate, at a very early stage. Surveys show that many women are suffering in silence for a very long time before

diagnosis or are waiting too long before visiting their GP to seek a formal diagnosis. The condition can manifest itself in a range of ways. Things are complicated further because the symptoms are not exclusive to endometriosis, which makes direct diagnosis more difficult and means that a laparoscopy procedure is required. Even that is sometimes not definitive.

There also seems to be a need to promote greater awareness of symptoms and diagnosis among medical practitioners. It seems that only a small minority of women suffering from the condition have received a diagnosis, let alone treatment. We also have to recognise that the most effective treatments are the ones that are most individualised to address the specific needs of the woman in question.

#### 12.45 pm

The debate should serve as a platform for the provision of a more integrated service and proactive approach to addressing the condition. That should involve better awareness and information; greater understanding of the consequences for individual women, the economy and wider society; encouraging women to seek treatment; better understanding of diagnosis; and wider availability of treatments. My party and I fully support the motion.

**Ms Brown:** As a member of the Health Committee, I support the motion. It has struck me, particularly since I became a member of the Committee, that there are so many people struggling daily with illnesses that most of us have only ever heard about in passing or, in some cases, not at all. Endometriosis is one such illness. I had a basic knowledge of what it involved, but I have since discovered the sheer misery experienced by those who are inflicted by it.

I apologise if I repeat statistics that other Members have given, but it is a very important issue. Endometriosis is a condition that affects approximately two million people in the UK — that is one in every 10 women — and approximately 1,500 women in Northern Ireland. In 2011-12, just over 1,000 women were diagnosed with the disease. Endometriosis can affect a woman in numerous ways, but it normally presents itself through the experience of severe pain or problems in conceiving children.

Diagnosis tends to be made in women aged between 25 and 45, a time that is normally associated with childbirth. Endometriosis does not necessarily inhibit fertility. In fact, symptoms do not usually appear or cause problems in pregnancy but, instead, reappear after childbirth.

Endometriosis can impact on a woman's life in a number of ways, including chronic pain, fatigue, lack of energy, depression, isolation, inability to conceive and difficulty in fulfilling work and social commitments. Aside from the symptoms of chronic pain or inability to conceive, the condition can impact on many other aspects of a sufferer's life, including her social and work life. As with any chronic, debilitating illness, it is hard enough for a sufferer to bear without her having to cope with the additional stresses of a negative impact on her home and work life.

For all the difficulties, there are some encouraging positives. Treatments are available and medical procedures are possible, which can help to alleviate the effects of the illness. The current procedure for women who present to their GP is for a referral to be made to a gynaecologist, who may not diagnose the condition

immediately. In fact, on average, it takes around eight years for a diagnosis. Women suffer in silence for an average of two years before speaking to their GP about their condition. Although I accept the potential difficulties in diagnosis and the fact that it is a difficult condition to diagnose, that time delay is unacceptable. It is unacceptable for women to suffer in such pain for so long. Many sufferers state that painkillers are ineffective. It is also unacceptable for women of childbearing age who have the condition to have to wait for a diagnosis, by which time their chances of conceiving a child could be much more difficult.

Although there is no known cure for the condition, treatment is available from medication in the form of painkillers or hormone treatments to surgery. In fact, surgery has a significantly high success rate, with symptoms recurring in just 10% of sufferers. It is imperative that the Department of Health look at the experiences of women suffering from endometriosis and how they can be helped through speeding up diagnosis and management of the condition. I would like the Department, as part of that programme of work, to encourage women who are experiencing pain and upset to consult their GP at the earliest opportunity. The sooner we get a diagnosis, the greater the hope that the impact can be lessened. I support the motion.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. As a member of the Health Committee, I also support the motion. I have to say that I did not know very much about endometriosis. I have a sister-in-law who suffers from endometriosis, but although I had heard of the condition, I had no in-depth knowledge of it whatsoever. Other Members gave some detail in the form of statistics etc.

As the Chair mentioned earlier, other members of the Health Committee and I attended a breakfast facilitated by Barry Turley a few weeks back. It was attended by two specialists and some women who suffer from the condition. They gave us a very informative and graphic description of this horrific condition. Some of the slides were graphic but gave some insight into the suffering of women with the condition.

Endometriosis has been around for a long time. As was mentioned, it takes quite a long time to diagnose in many cases. It can affect younger women as well, and the age range of 25 to 45 was mentioned. The specialists who we talked to said that it can affect younger women quite badly. More recently, I spoke to a woman who suffers from endometriosis, and she has been told that some of her internal organs are so affected that she could suffer from a punctured lung, which could be fatal if not treated as an emergency. Although we have been told that the condition is not fatal, it needs long-term treatment, and operative treatment has been successful in a lot of cases. The two women who gave evidence at the breakfast meeting explained how it has affected their personal life and working life and said that their whole lifestyle had been affected. Some have had to change jobs, and they have to be very careful when lifting things and so on.

If endometriosis were a condition that affected men, it would have been treated and dealt with at a much earlier stage. One of the doctors said that, if it was, for instance, a testicular problem, there is no doubt that treatment would be available, it would be taken seriously and GPs would have a much more in-depth knowledge of it. That

needs to be addressed. There has to be a multidisciplinary approach and an integrated service. I ask the Minister to take all that into account in his response because it affects so many women in so many ways, and it is important that their voice is heard. One of the good things about the motion is that it has raised the profile and awareness of endometriosis, and, as a result, more people are aware that it is a long-term chronic condition that causes extreme pain and suffering to a number of women.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I strongly welcome the opportunity to hear the views of MLAs on the motion and respond to it. I thank the proposer for raising this important issue today. Doing so will help to raise the issue publicly and ensure that more people are aware of it.

I should explain at the outset that endometriosis is quite a common condition that affects around two million women across the UK, most of whom are diagnosed between the ages of 25 and 40. Therefore, it should be dealt with regularly, particularly in the primary care sector, and there should be a good understanding of the condition at that level given the numbers of women who demonstrate symptoms. The symptoms commonly vary from one patient to another, but they include abdominal pain, severe period pains, painful sex and infertility.

In most cases, the condition can be treated in the primary care setting. If a patient's GP suspects that she may be suffering from endometriosis, they will usually refer her to a gynaecologist. A couple of Members suggested that diagnosis can take up to nine years. If that is the case, it indicates that the problem is, in the main, with GPs not referring people quickly enough. I have the figures for gynaecology here: of 9,240 patients waiting for an appointment with a gynaecology specialist, 7,712 will be seen within nine weeks and only 25 will wait for more than 18 weeks; and 3,970 patients are waiting for inpatient admission.

Again, 2,657 will be seen within 13 weeks, while 456 will wait for over 21 weeks. That is not quite as good as the first figure, but it demonstrates that people should not be waiting for years to receive that service and that they do not wait for years, certainly if a general practitioner is recommending it. Therefore, if we are urging anything here, we are urging GPs to get the analysis done more quickly in identifying the condition and having the presentation made to a gynaecologist at an earlier point.

At present, there is no known cure for endometriosis. However, the symptoms can often be managed with painkillers and/or hormone treatments. Surgery can sometimes be used to improve symptoms and fertility. Each patient is managed and treated on an individual basis according to her needs and in line with clinical judgement, and patients with fertility issues associated with endometriosis are seen in dedicated fertility clinics, where detailed workups can be performed prior to referral for IVF treatments. The National Institute for Health and Clinical Excellence (NICE) has not at this point issued any guidance that is specific to the management of women with endometriosis, and there is no guidance in development. That is an issue that people who are lobbying may want to take a look at, because it would have a significant impact if NICE were to issue guidance on the issue.

I appreciate the desire of the proposer of the motion to ensure that the suffering experienced by women with the condition be addressed as comprehensively as possible. The Department would prefer to look further at the need for an integrated endometriosis service. Its view is that the needs of endometriosis sufferers are being addressed in primary and secondary care provision and that, therefore, we do not have the compelling case for the integrated service that is being proposed today that we would like to have at this point. However, it is important that we pay attention to the views of elected Members as well as the Health and Social Care Board. We ask the board to ensure that the services to provide for sufferers are given that appropriate priority to ensure that people are not waiting a long time for diagnosis and appropriate treatment in each individual case.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. First, I thank everyone for taking part in the debate. One of the key issues is that this is the start of raising awareness, as some Members said. I also thank 'Talkback', which covered the story on Friday. It did so on Friday because it said that it would not get airtime today as someone was coming to town. 'Talkback' covered the issue quite extensively on Friday, and that started the raising of awareness of endometriosis, among not only women but everyone.

I have to say that I did not know anything about it. I had heard it talked about when I was growing up, but, when I looked into it and got the presentation, it frightened me to find out that a lot of women suffer the condition. There, but for the grace of God, go I. Having listened to stories and read some of the detail around it, if I am honest, I thank God that I do not have it. I am committing to ensuring that people who do have it get a better service from the Health Department. I am looking at officials here. As Members have said, it is a debilitating disease. It impacts on people's daily lives. It impacts on women who dream of having a family, some of whom develop fertility problems. It impacts on depression. So, the Committee is committed to looking at it and it is something that we will come back to.

#### 1.00 pm

Transforming Your Care talks about early intervention and prevention, and to me that is the issue. If some of our GPs — I do not say all of them; we have a lot of good GPs — need education in this, then that is what we need to do. We need to ensure that when women attend their GP they are not fobbed off as having severe period pains or told, "You will be all right" or "It is a woman's issue". This issue affects everybody. It may be that only women suffer from it, but it affects everyone. Society has moved on from the 1940s, 1950s or 1960s. Women should not be fobbed off or told, "It's period pain. Don't talk about it".

Paula Bradley is absolutely right: today is the start of raising awareness. She pointed out that, whatever arguments there might be about statistics, 85% of women with the condition suffer depression. If I am honest, I must say that it does not shock me that a lot of women who suffer from the condition have depression. When you suffer from chronic pain on a daily basis and are constantly told that there is nothing wrong with you, it is no wonder that people have issues. Paula said that there was a need for a holistic, woman-centred approach on a single site.

What I liked about the motion is that my male colleagues on the Health Committee took part in the debate. Fair play: you have sent out a clear message that this is not just a woman's issue. Conall McDevitt is right that medical treatments on their own were not always successful. He said that there was a need for a multidisciplinary team and a single, dedicated centre so that women do not have to suffer and do not have to attend many sites and retell their story.

Roy Beggs said that he was genuinely concerned about the lack of awareness of the condition. I think, Roy, that there is no argument against that. The statistic that Roy highlighted, whatever the Minister has said about some of the statistics, was that 45% of sufferers had visited their GP five times or more before being diagnosed. Consider how you would feel if you visited a GP once with a chronic condition and no one listened to you and you were told, "It's period pains". Imagine going twice, and again no one listens to you, and you are told, "It's period pains". Then imagine having to go five times or more before the illness is diagnosed. So, there is a need to bring in specialists to deliver that integrated service.

Kieran McCarthy said — I think that this thread ran through all the speeches — that it was important that GPs were made aware of the condition. This takes me back to Transforming Your Care. Unfortunately, over this past couple of weeks, "Transforming Your Care" seem to have become bad words. Whatever the issues around residential care — we will park those — if we are talking about services in the community, early intervention and prevention, GPs need to be a key component. If there is a lack of awareness among our GPs, we have failed right away. The Department and the Minister need to get started on awareness raising.

Pam Brown said that the delay in diagnosis was unacceptable. I could not argue against that, Pam; you are absolutely right. Mickey Brady said that, if this condition affected men, it would be treated better and more options would be made available to deal with it.

I welcome the Minister's input. I agree that GPs are key, and I think that all the Members who have spoken said that. Minister, the motion calls for an urgent inquiry into the provision of an integrated endometriosis service. I know that there are centres in England, so we need to learn lessons from what happens in different places. The Minister said that the Department would like to look at this further because there was an issue about the evidence: I agree. It might be useful to talk to those who are dealing with the condition. So if the Minister has some free time, maybe we can set that up. From working with you over the last year or so, I think that you listen. I might not always agree with you, but there might be an opportunity for you to listen and match the story with the statistics. As I said in my opening remarks, we are talking about our sisters, our mothers and our daughters, and there, but for the grace of God, go I. Minister, I would appreciate it if you took time out to listen to the women.

I remember quoting from a press statement about a year and a half ago during a debate in the Chamber. That statement had been issued by the World Health Organization probably a year before that. It stated that women were still dying in the world because men were in charge. In responding to that debate, the Minister said — I paraphrase — that he hoped that he would change that. I

talked to a male consultant about endometriosis — Mickey Brady touched on this — and he said that, if we were talking about testicles, more would be done. To get it right, we need to send out a clear message that we are listening, we are taking on board what is being said and we are going to prove the World Health Organization wrong: the fact that men are in charge does not mean that they are not listening to women's issues.

I thank everybody who took part in the debate. We have a duty to ensure that people in our constituencies are aware of the information that is out there. We also have a duty to ensure that the medical professionals in our constituencies are aware of the issues.

*Question put and agreed to.*

*Resolved:*

*That this Assembly calls on the Minister of Health, Social Services and Public Safety to initiate and expedite an inquiry into the urgent need for an integrated endometriosis service to address the severe suffering experienced by women with this condition across Northern Ireland.*

## Private Members' Business

### Road Traffic (Speed Limits) Bill: First Stage

**Mr McDevitt:** I beg to introduce the Road Traffic (Speed Limits) Bill [NIA 25/11-15], which is a Bill to set a maximum speed limit on residential roads of 20 miles per hour.

*Bill passed First Stage and ordered to be printed.*

### Fishing: Aid Package

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Frew:** I beg to move

*That this Assembly welcomes the efforts made by fishermen in meeting EU catch regulations in respect of cod and in reducing other unwanted catches; recognises the expense incurred in purchasing highly selective gears and forgoing valuable catches as a result of using these gears; sympathises with those fishermen whose earnings have been dramatically reduced because of a combination of bad weather and using new fishing gears; and calls on the Minister of Agriculture and Rural Development to deliver urgently a meaningful package of aid designed to assist those fishermen who have helped her comply with the commitments she made at the EU Fisheries Council in December 2011.*

I appreciate that business has moved forward much more quickly than most if not all of us anticipated, not least the Minister. I hope that she will be able to join us very soon. I know that she has been caught in traffic as, I am sure, have some Members who wanted to take part in the debate. It is a shame that the Minister will not be able to hear my contribution, because the same thing happened last week when she was sick. I hope that that is not going to be a habitual thing when the Chair of the Committee for Agriculture and Rural Development speaks.

This is a very important debate about the aid that the Assembly, the Department and the Minister should administer to a very important element of our industry and economy in Northern Ireland. The fishermen and trawlermen of our three main ports have invested in their industry and provided assistance to the Minister and the Department to move the industry forward to meet the needs of Europe. It is significant that the fishermen have been asking for meetings and assistance from the Minister. From this side of the House, it seems that the Minister has turned her face away from fisheries. Within days of the snow crisis, the Minister announced that she had seen fit to give an aid package to hill farmers who had lost stock. That was all well and good, and I supported that because I saw the need and the pain experienced by hill farmers in my constituency and my neighbouring constituency of East Antrim. It was good that we could support that industry while it was on its knees, but, equally, we should recognise the moves that the fishing industry has made in recent months and the pain and hurt that it has had to absorb not only because of the weather but because of things that it has had to put in place, such as highly selective fishing gear, to assist us through European negotiations. Those things have hindered the catch that our fishermen can take. The fishermen were quite prepared for that, even though they have taken a hit. Some of the fishermen and trawlermen have changed selective gear seven times, costing them thousands of pounds. There seems to be no recognition of that or of the pain that the fishermen have gone through from the Department or the Minister.

Last week, we discussed the issue in an Adjournment debate, and I think that that was the first time that the

Minister acknowledged that the industry was going through a very bad time. Last week, comments were made that the industry was sick. This industry is not sick. That is scandalous language. This industry, if supported, could do great things in the future. The report 'Going for Growth' states that it could have targets to grow turnover by 34% to £90 million, grow value added by 45% to £22 million, grow external sales by £36 million to £75 million and grow employment by 9%, which is 600 full-time equivalents. So, this industry is not sick. Let me stress again that this industry is not dying. This industry is not a twilight industry that will soon disappear from our shores. This industry is the future of agrifoods. This industry is the future for Northern Ireland's economy. With support, it could do great things for Northern Ireland, and we could export this food, as we already do, all around the world. It is very high in protein and is something that we as a country should be selling as our produce. It is good that we have an industry that could move forward and expand, but, like every industry, it needs support. At the minute, the Minister is turning her face away from fisheries.

The Minister said last week and, when she arrives, will say again that the Department supports fisheries very well. She will name a number of things, but she will avoid answering this question: what is the difference between the hill farmers of north Antrim, east Antrim, the Sperrins and south Down and the fishermen and trawlermen of our three ports? Let us look at the comparisons. They both went through horrific weather.

People talk about the snow crisis. It was the wind that brought the snow; it was the wind that drove the snow to the hedgerows in which all our stock was lost. That was the same wind that left our fleet in our harbours and the same wind that, in the months passed, has hampered, delayed and disabled our fleet from fishing the way it should in what are the harvest months for our fishing industry.

### 1.15 pm

Our fishing fleet makes its money from mid-April to mid-September. During the winter months, they sail only to provide a wage for their workers; if they did not, they would not be able to keep those people on board all year round. So, it is very important that they fish when they can in the summer. We have already lost percentages of that. Some 20% of the profit-making period is already lost, and we have seen the fleet's earnings drop by 50%, compared with 12 months ago. That is another comparison with the farming industry.

The Minister will say that it is because the hill farmers lost stock. Well let me tell the Minister this: the trawlermen have also lost stock, because of the highly selective gear that they have had to implement. In some cases, they have had to implement seven. Not only have they lost thousands of pounds in implementing the highly selective gear, but they have lost stock and catch because of it. They have not just lost cod, which is the reason why they had to implement the highly selective gear; there has been a loss to their prawn harvest. They have lost yield; they have lost crop; and it has cost them in the pocket.

I ask the Minister not to turn her face away from fisheries. Please, listen to what they are saying today through their representatives. I represent north Antrim. There are not many fishermen in north Antrim, but, as Chair of

the Committee for Agriculture and Rural Development, I realise how much the industry means to Northern Ireland. This is agrifood. We should all realise that food has a social element. Europe looks very carefully at food production, food safety and food security, and so should we. It is good to invest in the agrifood industry and to assist it financially, and fishing is a major part of that. I have no doubt that these people need assistance. It is not a sick industry; it just needs to be supported. It could grow to do great things and to import and export all round the globe, and Northern Ireland will glean the benefits. So, I say this to the Minister: please, do not turn your face away from fisheries; help these people to make Northern Ireland a better place by improving its economy and this industry.

There is no doubt that the fishing industry needs that help at this time. It has helped the Minister and the Department. It has implemented highly selective fishing gear that has hurt its crop. That is the comparison to the hill farmers of east Antrim and north Antrim who have lost stock. These fishermen have also lost stock, through highly selective gear, not only in cod but in their harvest of prawns.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close?

**Mr Frew:** I say this to the Minister: please, listen to the House today and implement assistance to the fishing industry.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I start off by saying that I agree, as I did on Tuesday night, with much of what the Member who has just spoken said, although we can differ on the analysis of the context at the end.

I welcome today's debate on the fishing industry, on the back of last week's Adjournment debate. I hope that we can work in tandem again, and keep working in tandem, to improve the fortunes of one of our most important agricultural sectors. It is a valuable asset within our agricultural sector. We must recognise that our fishing industry endures some of the toughest working conditions of any sector out there, and I am glad that we get the chance, again, today, to reiterate that. As well as that, it contributes tens of millions of pounds to our local economy. We should, therefore, put on record our thanks to the fleet's fishermen for doing that and enduring those conditions.

As was outlined by the previous speaker, the Chair of the Agriculture Committee, and by most of those who spoke on Tuesday last, the past few months have represented real challenges for the local fishing fleet. Those challenges have, without any doubt, placed huge pressures on families in Kilkeel, Portavogie, Ardglass and further afield. As other Members will undoubtedly illustrate in the debate, the reasons for that are very varied. Crucially, the changing dynamics of the common fisheries policy have created certain pressures that the industry has been forced to tackle in recent times and, as the Chair outlined, specifically around the entire episode of selective gear.

That is, perhaps, where I have a step change in the analysis. I agree that the industry is not sick and that last week's comments were unhelpful. However, as the Chair outlined, fishermen need support. I feel that they are getting support. Is that support, in the round, absolutely perfect and what is needed? Perhaps it is not. However, that is exactly what we are here to discuss: how it can be improved. I hope that we can keep doing that and bring forward ideas. I agree with the Chair that the comments

about a sick industry were not helpful. I spoke to fishermen on the ground at the weekend. That comment was pulled up as being unhelpful, and they did not like to hear it.

Fishermen have to recognise the support that has been put in place. I welcome the Minister's recent announcement that she will establish a research and development fund that is designed specifically to meet the challenges of selective gear. That significant investment will help in the months ahead. The ideas about upskilling and training are very important and beneficial. The Minister also outlined that, subject to the completion of a business case, she will meet the full cost of replacing the local fleet's satellite monitoring system. That may come as a prerequisite from Europe. However, if that money were not put in by the Department, local fishermen would have to pay for it out of their own pockets. Therefore, it is support.

If we take all those measures in the round, the fishing fleet here will benefit from financial support in the region of £1 million. The final figure might be anything between £0.5 million and £1 million. Again, that is meaningful support. Is there more to do? There possibly could be more to do. Perhaps I will finish on the following point.

**Mr Frew:** I thank the Member for giving way. He outlined the Minister's support to the fishing industry at this time. However, he should recognise — I hope that he does — the thousands of pounds that fishermen themselves have spent on selective gear for fishing vessels and fleets. Thousands of pounds have been spent to implement that. Fishermen have also lost thousands of pounds from their catch. The Member also mentioned the vessel satellite monitoring system. Again, that tool is designed to help the Department of Agriculture and Rural Development (DARD). It does not in any way help fishing in a practical sense. Therefore, it could be argued that the support is wafer-thin.

**Mr Deputy Speaker:** Order. Interventions should be brief.

**Mr Hazzard:** In other parts of Europe, fishermen might have to pay for that satellite system themselves. They will not have to pay here. Therefore, it will not be the burden that it might have been. However, I take the Member's point about what needs to be done. I ask the Minister to take a look at European Fisheries Fund (EFF) opportunities and how they are maximised for the local fleet. Fishermen will tell you that there are opportunities. However, it is a mixture of their not knowing how to maximise those opportunities and the fact that the EFF machinery process strangles the entire process so that the local fishing fleet cannot maximise those opportunities quickly or efficiently.

Many people acknowledge the opportunities to modernise their fleets, but I call on the Minister to look at the EFF machinery process to see whether something can be done to get vital funds and information to make the process a lot more attainable to the local fishing fleet. I think that that will make a big difference, and we should look at it. I ask the Minister to look at that and, if possible, to do something.

As I outlined at the start of my comments, the industry is not sick. It simply needs to be supported in the right way and at the right time. I think that it is being supported. We might be able to do one or two things here to support it going forward. It needs to be future-proofed because, as I said, it is one of our most important agriculture sectors.

**Mr Rogers:** I welcome the debate. Our fishing organisations have been requesting financial aid from the Minister for the past four months. In last week's debate about the Portavogie fishing fleet, the Minister acknowledged that the industry was going through challenging times.

The issue of selective fishing gears has already been touched on. Since December 2011, the fishing industry has co-operated in looking at these, and the process has resulted in trawlermen having to make seven gear modifications. As the Member opposite said, thousands and thousands of pounds have been spent on that. In addition, as a result of adopting those modifications, each vessel has lost a proportion of its catch — not just cod, which was the intention of the modifications, but the target species of nephrops. The value of the losses can only be guessed.

We welcome the further financial assistance that will be provided to the industry to review and improve the skills of our fishermen, but the worry, particularly after this past year, is whether there will be many fishermen to upskill.

The current vessel satellite monitoring system has been touched on. A sum of £250,000 has gone into that, but, frankly, it is of no practical help to fishermen. In addition, a short time ago, e-logs were introduced to replace fishermen's paper logbooks, and it now costs them £250 to update their software licence. That is just another levy for fishermen, in addition to the light dues and the Isle of Man licensing charges, which deliver no practical benefits to fishermen and are regarded as another tax.

The Minister pointed out that all fishermen in the UK region will soon be subject to the payment of light dues, but she has not told us — this is known out there — that fishermen in the South will not have to pay. So, again, Minister, why are our fishermen — a bit like our farmers — not doing as well from Europe as our Southern counterparts?

The Minister acknowledged the drop of up to 22% in landings, but, in monetary terms, that is a drop of up to 40%. In 2009, her predecessor, Michelle Gildernew, delivered an aid package to local fishermen. However, the earnings of the local fleet are now down by maybe 12% when compared with those from 2009.

The fleet is now halfway through one of the three most productive months of the fishing calendar. We want prospects to improve, but they have not. Fishermen are resilient and hard-working, but enough is enough. The demise of the fishing industry has had devastating consequences for towns such as Portavogie, Ardglass and Kilkeel. If fishermen cannot land product, our fish processing industry will be here only in the short term. Despite being innovative, our fish processors have a limited supply, and to maintain their markets, they have to buy from elsewhere. If boats do not go out, there is less work for the service industry, with the result that businesses in towns such as Kilkeel close week on week.

The Member opposite talked about fishing being an integral part of our agrifood industry. If we really want to capitalise on that, fishing has to have its rightful place. My colleague Minister Attwood recently raised the concerns of the fishing industry at the Executive table.

Finally, fishermen are not sick — they do not want to rely on government handouts. They are hard-working,



responsible people, but they need strong support from the Executive.

**Mrs Dobson:** I welcome the opportunity to participate in this important and timely debate. Commercial fishing, as part of the wider agrifood sector, is an important contributor to the Northern Ireland economy. Indeed, it is a crucial industry for our many coastal communities, providing jobs offshore and onshore, not forgetting the processing jobs and various support services associated with the industry.

In 2011, the total value of fish landed in Ardglass, Kilkeel and Portavogie was some £24.2 million, and, in 2010, processing had a turnover of £67.3 million.

With often damaging consequences, the fishing industry is very much dictated to by rules emanating from the EU. Those rules have major implications for our fishermen, their fleets and their families.

### 1.30 pm

The commitment given at the December 2011 Fisheries Council to reduce cod mortality, which stems from the cod recovery plan, has imposed obligations on our fleet to reduce cod by-catch. With the Swedish grid being found to be inappropriate for our fleet, fishermen here have spent considerable time, money and effort working to develop highly selective gear to reduce by-catch. That work has meant that significant losses of catch have been experienced, which is recognised in the motion before us.

From speaking to fishermen, I know that the loss of catch has been found to range from anywhere between 10% and 90%, depending on the particular conditions of the day at sea. The willingness of fishermen to engage in work to find a workable and practical solution to the problem must be recognised and commended by us all. However, that willingness must be met by adequate recognition and support from DARD. Support is key to helping ensure that the sector can play its part in delivering further economic and social benefits to our coastal communities and the wider economy.

I do not need to remind Members or the Minister that it is only a few weeks since the publication of the Going for Growth action plan. It has outlined for us how all sectors of agriculture, fisheries and food processing have a part to play in driving our economy forward, but that cannot happen without input from DARD and the industry. The ongoing efforts of the industry to perfect appropriate gear shows that it is willing to play its part and is capable of doing so. It is all the more important that the Minister must not be found wanting.

I will now speak about the cod recovery plan. Relentlessly reducing fishing effort has hit the industry hard, and I note that MEPs approved two reports in Strasbourg last week that are aimed at rebalancing the policy, which has been found not to have been meeting its main objectives by the EU's Scientific, Technical and Economic Committee for Fisheries (STECF). More widely, the common fisheries policy (CFP) is undergoing reform. The centralised Brussels micromanagement of the CFP has damaged the industry, with decisions taken that pay little attention to practical realities.

From speaking to fishermen, it is clear to me that their daily working lives have been hampered by years of rules

from Brussels and that the industry would be better served operating outside the CFP. The reformed CFP will simultaneously present the industry with opportunities and challenges, not least the drive to tackle fish discards. That will present our fleet with many problems because of the practical outworking of the policy, which will require extra sorting boxes, ice and space on board boats. Like our farmers, fishermen need maximum support from DARD. Figures show that nephrops landings from areas 6 and 7 during April and May dropped by over 43% and 36% from last year, and that pattern is likely to continue later in the year.

**Mr Deputy Speaker:** The Member's time is almost up.

**Mrs Dobson:** Ongoing support is vital if we are to ensure that the industry rises to future challenges.

**Mr McCarthy:** I support the very important motion before us, which comes on the back of the Adjournment debate last Tuesday evening.

Our fishing industry has been in decline for many years, and despite the efforts of our fishing Minister and the Department, fishermen feel let down. Our local fishing communities, both out at sea and in the processing units on land, have never endured such a lengthy struggle to survive. I hope that the Minister will redouble her efforts to ensure that that decline is halted, and halted immediately.

I remember when Portavogie in my constituency was a thriving fishing village where there was lots of work, both on the boats at sea and in the many processing plants there. There was always activity going on in the village. People were happy. There were plenty of shops in the village, and there was money to be spent. The money was spent in not only Portavogie but neighbouring villages, particularly Kircubbin. I must express an interest: my wife ran a drapery shop in Kircubbin for over 40 years. Many of her customers were from Portavogie, which we really appreciated. Even now, years after my wife retired, those same customers have kept up their friendship. They speak of the hardships and changed times that we are living in compared with the years gone past. Unfortunately, shops in Portavogie are now very few and far between, as are the processing units in the village. The same applies to other fishing villages in Northern Ireland.

The motion calls on our fisheries Minister to deliver a meaningful aid package to assist our fishermen to carry on with the job that they love doing. I hope that the Minister can do something to deliver some form of aid for the fishing fleet. I have to pay tribute to our fishermen, who, probably all the time, put their lives at risk while at sea. Sometimes, unfortunately, lives have been lost in pursuit of doing the job they love doing.

As we said last week, the costs confronting our fishing fleet today are horrendous. There is the cost of gear, oil and labour, and that is not to mention the weather. Following last week's Adjournment topic, the Minister announced support measures for the fishing sector, which are very welcome. However, unfortunately, they do not go far enough. Our local fishermen really feel let down and that the odds are stacked against them. They feel that other outside fishing fleets — and I said this last week — are permitted to fish in the waters that they are not permitted in. In fact, those waters are outlawed to the local fishermen. They are being asked to spend money on gear, etc, while it appears that others get away with it. One is not really sure whether that is correct or perception, but

that is the perception of our local fishermen, and they feel aggrieved.

On behalf of our fishing fleet, I implore the Minister, who is with us today — I hope that her cough is better from last week and she is able to deliver more good measures. With her health improving, you never know; there might be something — to listen to the plea of the fishermen and make every effort to revive a once thriving and proud industry.

**Miss M McIlveen:** I support the motion. I thank my party colleagues for bringing it to the House. Last week, I brought an Adjournment topic on the challenges facing the Portavogie fishermen, which touched on the same issues. As is the way in such debates, the Minister was able to respond, but there was no opportunity to challenge that response. I am pleased that this opportunity has come along so quickly.

Since then, I have again met a large number of fishermen from the Portavogie fleet. The situation is no better. I will respond to some of what the Minister said during the Adjournment debate. She said that the Portavogie fishermen are frustrated. That is an understatement; they are utterly distraught. They are stunned by the freakish conditions that they have faced over the past few months. Regardless of what the Minister says, they feel abandoned by her and her Department.

The Minister recognised that the farming and fishing sectors have been affected by bad weather but stated that farmers experienced physical and fodder losses, which is different from what fishermen are facing. Like other colleagues, I see no real difference. The physical stock on which the industry relies has been badly affected by the weather. The fishermen had to continue to pay their crews and fees during that time with no income coming in. The impact on the fishermen has been seen over the course of eight months. There are tangible reasons why a hardship payment is as appropriate for fishermen as it is for farmers.

The Minister accepted that a 22% fall in landings is significant, but insisted that, although the quota and days at sea still remain for 2013, there is still time to make up that ground. In Portavogie, 50% of the boats were tied up from Wednesday of last week because their owners simply could not afford to leave the harbour. I spoke to one man who fished five 24-hour days only to generate just over £500 from his catch after he had paid for his fuel. From that, he needed to pay himself, his three men, the mortgage on his trawler and insurance of £200. Some boats cannot leave the harbour because their owners cannot afford fuel; they have exhausted their credit, even with their co-operative fuel company.

Why has that happened? It is because thousands of pounds were spent trialling gear for the Minister's Department and valuable catch was lost during those trials. Fuel costs have increased; crews still have to be paid during a bad winter; fishing has been poor due to a bad winter and lower than normal sea temperatures; and there is still a low return on the fish that are being caught. How can they catch fish when they cannot afford to leave the harbour?

During the Adjournment debate last week, the Minister referred a number of times to moneys that will be available over the next two years for highly selective devices and satellite monitoring devices. She said that should not be:

*“dismissed and thrown to the side.” —*  
[Official Report, This Bound Volume, p124, col 1].

I do not dismiss or throw to the side any investment in our fishing fleet. However, satellite monitoring devices are enforcement mechanisms; they are not aids for fishing. There are more immediate concerns to be addressed, and the Minister seems to be refusing to do that. While the prawn quota increased by 6%, the price has dropped by 11.5%. Of course, other costs have increased, such as fuel, insurance, e-log licences and Isle of Man fishery licences, to name but a few. The average value of a catch has dropped by 40% since last year.

The Minister said that I should not just listen to the catching sector but should be mindful of the processing sector. I have listened to both, and if the boats cannot go out and fish, the processors will have nothing to process.

The fleet can be sustainable for many years. Under normal circumstances, the fish are available, and we have heard good news this week on improved cod stocks that will be able to be fished in several years. However, these are not normal circumstances and we are not several years down the road. I urge the Minister to place proposals with the Finance Minister for consideration.

During last week's Adjournment debate, the Minister advised that she would not consider:

*“a pure hardship package” —*  
[Official Report, This Bound Volume, p123, col 2].

I believe that she must offer other practical help that can and should be given. In 2009, her predecessor delivered an aid package, yet, compared to that year, earnings are down by 12%. Money is needed to allow the fishermen to function, and assistance could be given to enable fishermen to borrow more from the banks or to give banks the confidence to lend additional moneys. Perhaps the Minister would consider leading a task force to the banks.

Unfortunately, I do not have time to reiterate all that I said during my 15-minute speech last week. However, the Minister can review the Hansard report. I suggest that the Minister demonstrates leadership —

**Mr Deputy Speaker:** The Member's time is now up.

**Miss M McIlveen:** — to show that she cares about the fishing industry and will provide the necessary aid.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. Before I carry on, I hope that the Chairman of the Committee for Agriculture and Rural Development is assured by the presence of the Minister in the Chamber and that that worry has gone out of his head.

Fishing is one of our most important industries, with an estimated value to the economy of £24 million. If we take in what is landed in the Republic of Ireland and Scotland, that figure goes up to something like £56 million. We heard earlier that the processing industry is going down, but we are processing £60 million worth a year, so something must be getting caught.

The Agri-Food Strategy Board's 'Going for Growth' plan, which was published in April this year, described the fishing industry as:

*“proven to be robust and resilient in the face of challenge.”*

That plan and the industry's resilience will be challenged now and in the future. Like many of our other major industries, the fishing industry has suffered from global recession, bank inflation and spiralling fuel costs. We could consider that across the board. Members mentioned the farming industry and we could talk about the cost of fuel for that industry. Likewise, the road haulage industry is paying higher fuel costs. The most recent problem was the weather.

The reality is that we have no say in any of those costs; they are landed on us and we have to pay them. Our industry has to pay them, and, quite a lot of the time, it cannot pass the costs on, although sometimes it does. It is just a never-ending wheel. The banks are putting the squeeze on our businesspeople. All of us here know that there is no wriggle room for businesses with banks.

#### 1.45 pm

**Mr Frew:** I thank the Member for giving way. I will be brief. I clap the Member for getting one on me earlier.

The Member can blame the banks, the wind, the fuel costs and everything else, but the Minister and the Department are there to support the industry. What is the difference between now and 2009? Things are a lot worse now, and the Minister should respond, like her predecessor did in 2009, and deliver a substantial aid package.

**Mr McMullan:** I thank the Member for his intervention. I am sure that the Minister will respond and respond very well.

There is just no room now at all with the banks etc. As we know, the number of bankruptcies is rising all the time in all businesses across the board, no matter what they are. We talked about farming. We know that costs for farming are coming up. We got over the winter, and this incoming year will tell a big tale about farming.

It is known that our fleet is ageing, which makes the boats more expensive to run. Given the cost of fuel, it is not cost-effective to run some of the fleet. We accept that, and the industry accepts that.

We have asked what the Minister has done to date. In December 2012, the Fisheries Council secured a 6% increase in the quota for prawns, which is one of our most important stocks. New ice-making facilities in Ardglass were invested in. By the time that it closes in December 2015, the EFF programme for fishing waters will have indirectly put in €36 million. To date, that funding has reached £1.75 million and, with DARD funds, has been committed directly to projects. Harbour facilities have been allocated £3.35 million, and science projects have received nearly £1 million.

The selective fishing gear project is led by the Sea Fish Industry Authority and a steering group that includes two representatives from our own producers' organisation, local net-makers, AFBI scientists and DARD officials. Funding for the satellite programme, which has been talked about, is not something for the fishing industry. Unfortunately, it is Europe-led. Europe has stated that it is needed, so we have to use it.

I hope that today we can all agree that we have to get together and make sure that we can get the best deal for our fishing industry, as we have done with the farming industry. It is one of our lead industries, and we cannot afford to let it go.

**Mr Byrne:** I, too, welcome and support the motion. I also sympathise with the fishing communities of Portavogie, Ardglass and Kilkeel. The difficulty is that we have some people who say that there is a problem and others who feel that there is less of a problem. That is a conflicting message to be going out from the Assembly.

There is no doubt that the fishermen are up against it. They have had a poor season due to bad weather, the higher cost of diesel and poor catches in the last year. The big issues for many years have been quotas, days at sea and the total allowable catch restrictions, which have been a particular problem for the cod and the white fish industry in general. Prawn fishing has been largely successful, particularly for Kilkeel. Fortunately, last year, we got a 6% increase in the quota for Irish Sea prawns being landed at Northern Ireland ports. But the question is this: why did Scotland get a 25% increase in its quota, when we got only 6%?

A proper fishing plan is needed. We need some forward planning strategy for the fishing industry. In the agrifood strategy report, 'Going for Growth', reference is made to the fishing industry and some target figures are set, but there is no implementation plan. Therefore, I would say that DARD needs to have a fishing unit that is relevant and up to speed on the needs of the fishing industry and can develop a partnership approach with fishing vessel owners.

Selective gear has been raised as a key problem here. The fishermen feel very sore that they have been forced to change the gear about seven times. That has not meant that their plight has improved; in fact, they would claim that their capabilities in relation to having a successful fishing business have been hampered. The European common fisheries policy has long been a major problem and issue of concern to our fishermen here. We have a very small fishing industry working at three ports, but they are also under restrictions vis-à-vis their fishing in Irish Sea waters, against the restrictions at the Isle of Man, the Scottish ports and what can be landed at the English ports. I contend that, unless we get key officials in the Department who are willing to work strategically with the private sector interests in the fishing industry and with Brussels, we will still, basically, stumble along.

Stumbling along is no longer any good. People who own boats owe a lot of money on those boats. They have big monthly repayments and employees to pay. The bills are increasing, and bank credit facilities are fewer. Let us take a very successful business like Rooney Fish. Mr John Rooney wants to expand the business. He can grow a market overseas for his oysters, but there are big restrictions. Planning needs to allow him to have a larger fish processing industry. He wants to be able to grow oysters inshore. Those are the sorts of things that the strategy would need to examine to make sure that that industry can grow, because there is a market internationally for those oysters. That is the way forward. We have to have better forward planning, a better strategic approach and a better proactive approach by DARD in particular.

I hope that the Minister can outline some support for the fishermen, but it is strategically important that there is a clear positive signal looking to the way forward.

**Mr Nesbitt:** As ever in a debate on the fishing fleet, I want to pay tribute and give thanks to my colleague

Councillor Angus Carson of Ards Borough Council, who for many years was a captain in the fishing fleet in Portavogie. He is still a resident of the fishing village and has family members who are still involved in fishing and fish processing, so he gives me a direct insight into the difficulties, hardship and frustrations currently felt in and around Portavogie and our other fishing villages.

Today, I have in on work experience a delightful young woman by the name of Georgina from the REAL (Rights, Empowerment, Action and Lobbying) Network, which is a body that lobbies on disability issues. We were touring the Building, and she was remarking on what a wonderful, comfortable and enjoyable place this must be to work. I do not know how difficult the 108 Members of the Assembly believe their job is or what trials, tribulations and dangers they experience daily, but I think that, if you compare our life with that of a member of the fishing fleet, you will find that we get it relatively easy. So, it is important that we focus on the good work that they do.

Later today in Enniskillen, at the Lough Erne resort, eight of the most powerful leaders in the world will sit down to dinner. We have, quite rightly, made much of the importance of food and of showcasing local produce to the world during the G8 summit, so agrifood is important. One hundred years ago, when our economy was really humming, it was based on a few select industrial sectors — shipbuilding, light engineering, linen and rope works — but agriculture was our number one. It remains our number one today, and for the foreseeable future agrifood will be our number one sector. Surely, on that basis alone, we should not be found stinting in the support we offer.

Frankly, the fishing fleet has been struggling of late. Mother Nature has not been on its side. Indeed, as we saw in March, Mother Nature has not been on the side of farmers, who were equally disadvantaged. The support offered to farmers and the support offered to the fishing fleet were not equal. As early as late March, I called on the Executive for support for our fishing fleet. It was a call not for special treatment but for equal treatment. Support and funding are there, which is part of the frustration. The European Fisheries Fund is there, but is it being maxed out? Are we spending it all? Is it all being spent by the Minister in a timely manner? On behalf of the fishing fleet, I respectfully ask the Minister to address that issue, particularly the sort of support that comes out of Great Britain, which seems to be annual support for the fishing fleet for issues such as light dues, as against the one-off support that appears to come from the Northern Ireland Executive.

What is missing, I suggest, and what would be so welcome to the fishing fleet, to the families of the fishermen and to villages such as Portavogie, can be summed up in one short, simple word: hope. We need hope that the Minister will afford assistance that is equal and equitable to fishermen; hope that the EFF will be maxed out in a timely manner for the benefit of the fishing fleet; hope that the endless divisive scientific debate and argument over cod and different fish stocks in various fishing areas can finally be resolved in a manner that the fishing fleet can look on as equitable and honest; hope that succession planning can be brought through in a manner that promotes a sustainable fleet for the future; and hope, indeed, that there will be a future for the fleet. Earlier today, the Minister welcomed the president of the United States to

the Waterfront Hall in Belfast. I listened to his speech and was struck by one three-word sentence: "Hope is infectious". Is it too much to ask that, today, in this debate, the Minister infects the fishing fleet with hope?

**Mr McCallister:** Like my colleagues, I support the motion.

Probably the biggest challenge for the fishing industry is getting the recognition from DARD that it needs and deserves. We hear great talk about agrifood, but, when I speak to fishermen in Kilkeel or Ardglass in my constituency or in places such as Portavogie in the neighbouring constituency of Strangford, there is always a feeling that their needs and wishes are at the bottom of a very long list. In fact, they probably wonder whether they are even on the agenda. It is encouraging that, after not having had a debate on fishing for a long time, two have come along at once, like buses. We need to keep the fishing industry on the agenda and keep talking about the challenges that it faces.

I pay tribute to the Minister for at least working with the sector to develop some of the gear, although the fishermen did not sign up to it; I think that the Minister signed on their behalf. The Minister has shown some flexibility in working with the industry, and we need that type of work to continue rather than a rigid, straitjacketed approach. I am more critical of the Minister about the slowness to react to a real crisis in the industry. Quite rightly, after the snow in late March, there was a quick response from the Minister and the Executive and a collective response from the Assembly, which is what I expect and want to be encouraged when people are really up against it. Fishing is up against it. The fishing and processing industry is a huge employer, especially in South Down and Strangford, and they make a huge contribution to the Northern Ireland economy. We cannot and should not ignore them. We should try to stimulate the industry and encourage it to continue to improve.

## 2.00 pm

Certain things are not in the Minister's gift. She has no control over the weather, the banks, labour markets and the cost of labour, the price of fuel or market returns, but she can look at producing the aid package for which the industry has been calling for a number of months. She has the ability to act as her predecessor did a number of years ago and initiate that support. That is where the Minister has a responsibility and a duty to act, not months or maybe years down the line but immediately. She must speak to the industry to find out what the real needs are. She must find out how we can put together a package that she can present to her Executive colleagues and locate funding for that package. That is what the Minister can do to make a difference.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

We have only to listen to the figures that other Members gave. Mr Rogers, my colleague from South Down, listed places where incomes had dropped, catches had dropped and fuel costs had risen. He told us the percentages involved and the impact that all this is having. Michelle McIlveen talked about the impact of fishermen not even being able to fund their boat leaving the harbour. We have to address that. I very much hope that the Minister will say what is being done and what she will do. However, she must respond at a much quicker pace than she has done so far.

**Mr Deputy Speaker:** The Member must draw his remarks to a close.

**Mr McCallister:** I support the motion.

**Mr Allister:** It is probably an understatement to say that the fishing industry is a very difficult and very dangerous industry. We had a sad reminder of the latter just last week when, off the coast of Southern Ireland, three brothers, all fishermen, tragically lost their life. In the comfortable lives that we collectively lead, it is easy to forget the discomfort in which fishermen operate and the dangers and difficulties that they face. It is an industry that is, sadly, taken for granted, not just by society but obviously, given the response that government makes to it, by government.

The point has been well made that, in recent weeks, we saw a response to the horrendous weather that afflicted our farming industry. Yet the same horrendous weather afflicted our fishing industry but went unheeded and without response. It seems, sadly, that the fishing industry is being taken for granted.

The fishing industry has also been taken for a ride by the European Union. If we contrast the state, the flourishing nature and the aspirations and achievements of our fishing industry in 1973, when we joined the European Union, with the situation in 2013, we see that it is like day and night. The industry has been sacrificed through the folly of the common fisheries policy to the point that it has been run down to near extinction in many places.

In these British Isles, we had the most flourishing and successful fishing industry: today, it is a mere shadow of itself.

That is by no accident but by the design of the common fisheries policy. Although we need to help the industry locally, we need to help it internationally by withdrawing powers over fishing policy from the European Union and repatriating them. European Union control over fishing policy has been a disaster for our fishing industry throughout the United Kingdom. That is a call that I reiterate today.

Under the common fisheries policy, we have seen the absurdity of the lamentably failing cod recovery scheme, which, year on year, has made things worse not better. We have seen the amoral approach to discard policy, where perfectly edible fish, courtesy of a Brussels diktat, by their hundreds of tons have been cast back into the sea to rot. That has happened because someone in Brussels thought that it was the right and smart thing to do. In the current reform of the common fisheries policy, we are told that the discard policy is going to be reversed. The sooner the better, because it has been a scandal for many years.

Also under the reform, we are told that there is to be more regional control over fisheries. Is there? When I look at the detail, the same infrastructural and overarching control of Brussels will exist, so Brussels will still be pulling the strings for how regions behave under the common fisheries policy.

Those cosmetic changes are not what we need. We need the repatriation of fisheries policy to the United Kingdom so that Members in the House, to whom that power could be devolved, can take decisions. They would have to stop hiding behind Brussels and blaming it for everything that goes wrong. Brussels is often properly blamed, but sometimes it is blamed out of convenience. It is time that

the policy on fisheries was returned from Brussels to the United Kingdom, because it is an industry that can flourish. When I was a member of the European Parliament Fisheries Committee, I once made a visit to Norway. I was staggered by the contrast in the cod industry there to that here.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close, please?

**Mr Allister:** There, I saw the vibrant success of the industry outside the EU. Inside the EU, we have seen the destruction of our industry.

**Mr McNarry:** During last week's debate on the Portavogie situation, I was struck by the fact that the value of the fishing industry to the Northern Ireland economy, if the catch taken by Northern Ireland boats to ports outside Northern Ireland in the rest of the United Kingdom and the Irish Republic is included, is an estimated £56 million. I was also struck by the fact that last week Mr Hazzard totalled the amount of support being given by the Minister to our fishing industry in recent times at just under £1 million. There we have it: £1 million support for a £56 million industry. That is support at a level of less than 2% of the value of the industry.

Fishing is undoubtedly the victim of our EU membership. Our exit is long overdue. Describing the common fisheries policy as the United Kingdom giving away the family silver gives us a clear vision of what has happened and continues to happen. The United Kingdom signed over control of British fishing grounds, which contained nearly 70% of Europe's fish. It signed those fishing grounds over to the EU common fisheries policy. Therefore, when you hear how much EU membership costs this United Kingdom, you need to factor into the gift that it has been given our fish resources going to foreign nations.

EU membership does not just cost us £10 billion net a year. On top of that, we gave away control of our fishing stocks to Europe. In 2008, the United Kingdom lost £3.3 billion because we allowed other countries to fish in our territorial waters under the common fisheries policy. In the same year, we lost £28 billion through businesses having to comply with EU regulations and £17 billion through additional costs resulting from the common agricultural policy. In the same year, £14.6 billion was paid into the EU Budget and other EU funds. The total cost to the United Kingdom of EU membership in 2008 was gross — it was £65 billion. Yet, here we are talking about it and doing nothing.

The very valid point to make in all these debates about seeking to adjust, or tweak, EU regulations or seeking some ex gratia payment from the Minister is that, while those are all welcome and worthy enough measures — and I recognise what the Minister has been doing — they do not address the central problem and core issue. As I said last week, we are treating the symptoms of the illness when we need to treat the illness itself, which is clearly our membership of the common fisheries policy and our membership of the EU.

As has been said, repatriation of the common fisheries policy from the EU is clearly the only way that we will be able to rebuild the fishing industry. If you tell fishermen anything else, you are telling them lies. You are deceiving them and raising expectations when you cannot deliver. You will never be able to meet the expectations of the industry unless you assert our interests over those of every other European nation in our own territorial waters. It

is about time that we stood up for Britain, stood up for the United Kingdom and took ourselves out of this nefarious EU and, in doing so, gave back to our nation's fishermen the right and integrity to do their job.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. Fortunately, I have a bit more of a voice to respond to this week's debate. I welcome the fact that this is our second debate on fishing in the past number of days. That, in itself, shows the fishing industry that the Assembly cares about it and that the Assembly and the Minister have the fishing industry's interests at the core of our thinking.

The motion states that the Assembly welcomes the efforts made by our fishermen to reduce by-catches of cod and unwanted fish species. I am happy to support that statement. I especially thank the fishermen, their representatives and the net makers who have worked with us in trialling new highly selective gear over the past 18 months. That work has saved the prawn fleet from the imposition of the Swedish grid, a device that most fishermen regard as impractical.

I further acknowledge that adopting those gears is not without expense. However, my Department has done its best to help with that cost. The 2012 trials were fully funded. Assistance was offered to install the Seltra device following successful trials on both twin and single rig vessels. We also funded a study tour of local fishermen to Norway and Denmark at the end of 2012, which generated further ideas on how to improve selectivity.

I accept that, despite successful trials, the Seltra trawl did not live up to expectations when it was rolled out across the fleet last October. We must remember that that is a time of year when prawn landings are normally at their lowest. Landing figures since 2000 show that October is the worst month for landings, with just 4% of the annual landings made in that month. Indeed, the fleet lands more prawns in August than it does in the last three months of the year combined. So, if you had a choice, you would perhaps not pick that time of year to roll out new gear. That fact, combined with difficulties in setting up the device, coloured opinion against it.

For those reasons, we took a pragmatic approach and gave the industry more time to work with the gear. This year, we continued to look at alternative gears and trialled two further potential solutions suggested by fishermen. Both of them proved effective in reducing cod and other unwanted by-catch, with only a minimal loss of prawn catch. Members have referred to the particularly difficult time that fishermen have had as a result of the poor weather in March and the start of April. I fully accept, as I did in last week's debate, that that has had a dramatic effect on landings. However, landings for the whole fleet in February and May were more typical.

Members have called for an aid package similar to that offered to the farming community. However, I tried to make a distinction in last week's debate and I will do so again. I recognise that the weather impacted the fishing and farming industries. However, farmers have experienced physical stock and fodder losses that have to be replaced.

On the other hand, when vessels are not fishing, fish quotas and days at sea are not used up. Others will dispute whether the industry may or may not have time to make up its quotas over the rest of the year. Some people

will agree with that; some will not. As I said during the debate last week, I give an assurance to the industry and to the Members who brought forward the motion that I will keep the situation under review. I am watching the situation very closely.

## 2.15 pm

Members referred to the figures. At the end of May, prawn landings were down 22% compared with the five-year average at the same stage last year. Looking at the long-term landings data, we see that the fleet will usually land about 40% of the annual prawn catch between January and May. Therefore, the 22% drop for that period represents around 9% of annual average landings. Whilst I accept that the situation is dire for fishermen, I believe that there is an opportunity to make up the catch in the months ahead. However, I will certainly keep that situation under review. I gave that commitment to the House last week, and I stand over it today.

Last week, I also outlined the financial assistance and measures that I have put in place. Some of those involve working with the industry, which I want to work with to carry out an urgent review of need in respect of skills, safety and fuel efficiency. We will have to identify how we can use the tool of the EFF to better effect. I give a commitment to do that in the time ahead and to work with the industry on that.

**Mr McCarthy:** I thank the Minister for giving way. Does she acknowledge that, as I said in my two speeches on the fishing industry, there seem to be inequalities for the local fishing fleet, which says that other fishing fleets are allowed to come into its fishing areas, putting it at a disadvantage? If that is the case, will the Minister ensure that inequalities do not exist in the industry for our fleet?

**Mrs O'Neill:** I take my equality duty very seriously, and I will make sure that all inequalities are addressed across the Department, whether in fishing, farming or in rural communities. The fishing community quite often asks me about the rules and regulations on where can be fished. I am always mindful of that, and I will make sure that, in any discussions that we have with industry, we look to make sure that we can benefit our local industry.

The motion calls on me to deliver urgently a meaningful package of aid to assist fishermen who have helped me to comply with the commitments that I made to the EU Fisheries Council in December. John McCallister said that I made the commitment in the absence of corresponding with the industry. I assure him that I gave that commitment on the back of discussions with the industry. It made sure that the industry did not have a device imposed on it, because it did not want the Swedish grid. If we were not able to put that proposal to the Commission, the industry, at the start of the year, would have been sitting with a device that was unworkable and did not suit the local fleet. We would be in a much worse and more difficult situation if we had not done that.

Meeting the commitment we gave has resulted in our fleet operating with gear that is as effective and much more practical than the Swedish grid that the Commission was trying to impose upon us. Meeting that commitment has also meant that we have worked towards and made improvements, such as killing far fewer unwanted fish and

making a real contribution to stock recovery, which, in the longer term, will be very positive for the fishing industry.

As I said during the Adjournment debate last week, I do not believe that, for the reasons that I have given, an aid package is justified at this time purely because of the bad weather. However, as I said, I am happy to keep that under review and work with the industry over the next number of months.

**Mr Frew:** I thank the Minister for giving way at this crucial moment of the debate. I do not agree with her about the 22% figure. The profit-making period is already lost to the fleet, and it will not make that up. It is 50% down on income because of that and the bad winter. What is the difference, Minister, between the situation now and when your predecessor implemented a financial aid package in 2009?

**Mrs O'Neill:** The hardship package in 2008 was in response to the circumstances at that time. The decision was based on that, and I assume that the business case was based on that and approved by the Department of Finance and Personnel (DFP) at the time. If you remember, when that hardship package was initiated, it was welcomed by the industry, and, by the end of that year, the fishing industry had caught up. I have to be very careful because I am in charge of public money and am accountable to the Public Accounts Committee. Therefore I have to be able to stand over any proposal that I make. I acknowledge the difficulties and have taken measures to try to assist the industry, and I will keep the situation under review. That is as far as I can go at the moment. Based on my assessment of the situation, I believe that there is time for the industry to make up a lot of the ground that it has lost as a result of the weather. That is the distinct difference between 2008 and where we are now. As I said, I am happy to keep that situation under review.

The measures that I have already talked about around research and development —

**Mr Allister:** Will the Minister give way?

**Mrs O'Neill:** OK.

**Mr Allister:** Will the Minister make a commitment that if, at the end of the effective fishing season, those losses have not been made up, she will produce a package? Will she give that commitment as a test of the veracity of her words today?

**Mrs O'Neill:** I have given a commitment today, and I gave a commitment last week in the debate, that I will keep the situation under review. I believe that there is an opportunity for them to make up the difference that they have lost out on over the past number of months. I am very happy to come back and have a debate in this House in a few months' time, when we can have another assessment of the situation. That is as firm a commitment as I will give. I will absolutely be mindful of the difficulties that are being posed towards the fishing industry and the difficult circumstances that it is working within. That is the commitment that I am giving.

Last week, I outlined the measures that I have taken forward around the research and development fund and working with the industry. Hundreds of thousands of pounds of support is going out into the industry to help it around the selective gear and other measures. I am happy to be able to bring those things forward. Is it enough? That will always be a matter of opinion. People will always have a different view on that.

I move to the issues that Members raised. The task force to the banks is a very practical example of a good piece of work that can be done. We have done that before and talked to banks on the issue of single farm payments, and we are very happy to go around the banks again and talk to them about the challenges for the fishing industry. That is a practical measure that can be done very quickly.

On the issue of reviewing the EFF, Chris Hazzard talked about looking at the processes. I think that there are opportunities that can be explored where we can look towards EFF and use it to better effect. On the back of discussions with the industry, we may be able to do something there. Members of the House will have their own political view on whether or not we should be part of Europe. I am critical about engagement with Europe quite often. I am critical about the bureaucracy and a lot of the red tape that comes with being part of the CFP, but you cannot pick and choose what you want to be part of. If you pull out of CFP, you pull out of CAP and you pull out of infrastructure support and Peace moneys. So you need to have a wider debate around that topic. To me, it is a much bigger picture that we need to be looking at of the hundreds of millions of pounds that we get in support through CAP, CFP, infrastructure support and Peace moneys. That is a bigger debate.

I welcome the fact that we have had the debate again. I have set out my commitments last week, and again today. I want to work with the industry, as I value it as a key part of the agrifood sector. The thinking and process behind the agrifood strategy is around looking at the challenges that are posed to the agrifood industry in its entirety. Everyone — farming, fishing; no matter what end you are coming from — needs to look at the challenges for the industry. We need to look to the future. We need to look at how we can support the industry in the Executive and at how we can work in partnership to make sure that we grow that industry. That is the commitment that I am giving to the House today.

**Mr Deputy Speaker:** Members, the next item on the Order Paper is Question Time, which commences at 2.30 pm. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.30 pm.

*The debate stood suspended.*

*The sitting was suspended at 2.23 pm.*

On resuming —

## Assembly Business

2.30 pm

**Mr Allister:** On a point of order, Mr Deputy Speaker. Has it not gone past 2.30 pm and was the House not to resume at 2.30 pm? Is there a reason why we have not resumed?

**Mr Deputy Speaker:** The Member is quite right: it is time for questions to the Minister of Health, Social Services and Public Safety. I am pleased that the Minister is now arriving.

# Oral Answers to Questions

## Health, Social Services and Public Safety

### Transforming Your Care

1. **Mr G Kelly** asked the Minister of Health, Social Services and Public Safety for an update on how he will address the concerns about Transforming Your Care as outlined in the motion which was debated in the Assembly on 28 May 2013. (AQO 4287/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I set out my intentions in response to contributions to the debate on 20 May, and they have not changed. I called a halt to the trusts' consultations on home closure proposals and put in place a new process for consultation, communication and engagement. I will continue to use all options available to me, including the independent sector, to help drive down waiting lists and provide the best possible care for our citizens. I will not introduce legislation that would prevent me from responding in a flexible manner to any healthcare issues that may arise.

'Transforming Your Care' set out a compelling case for changes to our health and social care system and has been widely accepted by those who work in the sector and by the community they serve. We need to make the changes required to improve patient experience, and we need to do it in a transparent and sensitive way. I am committed to doing so.

**Mr G Kelly:** Go raibh maith agat. Thank you, Minister, for your answer so far. With regard to the recent debacle around residential care, have all residents who are currently in residential care homes been informed that they will not be asked to move from their home?

**Mr Poots:** As Minister, I have corresponded with every resident individually. I have explained that a new process will be put in place that will be headed up by the Health and Social Care Board (HSCB) and that the proposals to close the residential homes have been discontinued.

**Ms Brown:** In relation to TYC and the spend that the Department is making on private providers, what is the comparison with the spend in previous years?

**Mr Poots:** The spend in the independent sector was £52.6 million in 2011-12, and it was £24.7 million in the previous year. In 2009-2010, it was £57.5 million. There has actually been a reduction in spend in the private sector under the DUP, as opposed to that under the Ulster Unionist Minister at that time. We continue to drive down waiting lists as well, and we will use the independent sector to assist us in that where it is appropriate to do so.

**Mr McDevitt:** I note the Minister's reply that he will not introduce legislation that would prevent him from "responding in a flexible manner". I think that we would all agree. However, does the Minister not accept that the point of legislation is to demarcate clearly the areas of health and social care in which the House as a whole wishes him to be able to respond in a flexible manner and, therefore, bring more clarity to the Transforming Your Care strategy?



**Mr Poots:** Legislation needs to benefit communities and not cause problems and harm. I note the difference in tone between Mr McDevitt and his predecessor, Carmel Hanna, who was MLA for South Belfast. When she was at the opening of the privately built Belfast Institute of Further and Higher Education (BIFHE) Millfield campus, she made the case that PFI opened opportunities for private sector innovation in management, teaching, accommodation and services. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Poots:** I remind Mr McDevitt that, in its 2011 manifesto, the SDLP said that it would:

*“commission a study into current levels of community service provision leading to a strategy and action plan aimed at greater involvement by the voluntary and community sector in health and social care provision here”.*

I agree with what the SDLP has said, and it would be good if the Member got on board with his party.

**Mr Allister:** Will the Minister give an assurance that, at the end of the implementation of Transforming Your Care, there will be and he wishes there to be a section of residential care that will be retained in National Health Service provision?

**Mr Poots:** I want our elderly population to receive the best possible care. I recommend that all Members visit the Cedar Court facility that Minister McCausland and I opened in Downpatrick last Thursday. When you visit, you should speak to the residents, the care providers — the people who are employed by us — and the relatives. All those people will say, “We were previously in residential care situations, but what is being offered here is substantially better. This is the way forward for health and social care for our elderly population”. I invite any Member to visit such a facility and say that my vision for that is wrong.

## Tobacco Products

2. **Mr Milne** asked the Minister of Health, Social Services and Public Safety, following the recent proposals by the Irish Government for plain packaging of tobacco products, whether he has any plans to take the same action. (AQO 4288/11-15)

**Mr Poots:** I support measures that lead to a reduction in the uptake of smoking by children and young people, which is why I agreed to the inclusion of Northern Ireland in a UK-wide consultation exercise on standardised packaging for tobacco products. That was led by the Department of Health in London. The consultation responses at a UK-wide level and for each devolved Administration are being considered. Ideally, I would like a UK-wide approach taken on standardised packaging, and I recently wrote to the Secretary of State for Health to encourage him to come to an early decision on the issue.

**Mr Milne:** It is useful to have those comments from the Minister. Has he had representations from elected representatives against the proposal?

**Mr Poots:** I am not sure whether we have received any written representation. I have not gone through them all to identify whether that is the case, but I know that arguments have been put for and against the issue. One of the more considerable arguments for this is that cigarette

companies are targeting particular groups — women are being targeted with slimline coloured packaging — and there is a significant issue with smuggled tobacco. In Northern Ireland, we have a big problem with criminal activity in illicit trade such as tobacco, fuel smuggling and alcohol bootlegging. One of the biggest problems is that around one third of the tobacco that is sold in Northern Ireland is illegal, and it is being sold at around £2 a packet. If we really want to drive down the number of people smoking, we need to get to the nub of the issue: the criminal industry. A significant issue that is being raised with me is that plain packaging may not be beneficial on that front and may be detrimental. I am not convinced of that argument.

**Mr G Robinson:** What actions are being taken to address the possible risks from electronic cigarettes?

**Mr Poots:** Electronic cigarettes are unregulated, and, thus, little is known about the quality, safety and efficacy of such a product. I support the recent decisions by the MHRA to regulate these products within a proportionate regulatory regime. I also wish to look at the MHRA report in detail when considering the potential contribution that such products could make to tobacco-related harm and a reduction in smoking.

**Mr Kinahan:** I want a bit more clarification. We are told that tobacco companies need to find another 2,300 young people to smoke to keep their market share. Does the Minister agree that the way forward is to keep the graphic pictures on cigarette packets to put people off?

**Mr Poots:** We are in a consultation process. Australia has introduced plain packaging, and the Republic of Ireland appears to be moving ahead on that, too. Cigarette companies use packaging as a marketing exercise. There is a judgement call to be made on whether that is the greater problem or whether the greater problem would be people potentially being able to provide illicit cigarettes more easily as a consequence of moving to plain packaging. That debate is taking place. I have not committed to either side at this point because I am not fully convinced by either side. I will need more time to come to a decision.

**Mr Deputy Speaker:** I remind Members to continue to rise in their place if they wish to ask a supplementary question.

Judith Cochrane is not in her place. I call Ian McCrea.

## Hospitals: Waiting Times

4. **Mr I McCrea** asked the Minister of Health, Social Services and Public Safety for an update on progress on reducing inpatient and outpatient waiting times. (AQO 4290/11-15)

**Mr Poots:** I am pleased to report that the hospital waiting list statistics for the year ended 31 March 2013 show a marked improvement on the previous year, with a reduction in the total number of people waiting for outpatient appointments and inpatient or day case treatment, compared with March 2012. There was a reduction of 3.2% in the number of people waiting for a first outpatient appointment, from 103,029 in March 2012 to 99,774 in March 2013. Significantly, the proportion of people waiting for less than 9 weeks has risen to 80.2%, compared with 72.6% in March 2012. The number of people waiting for inpatient and day case treatment

reduced by 6.2%, from 50,829 in March 2012 to 47,689 in March 2013. The proportion waiting for less than 13 weeks has risen to 68.8%, compared with 64.4% in March 2012.

I welcome the improvement but accept that work needs to be done to reduce waiting times to an acceptable level for all patients. The continued reduction in hospital waiting times is, therefore, a key priority for my Department against a backdrop of ever-increasing demand for hospital services. So I have set more challenging targets to be achieved by March 2014, and I look to the Health and Social Care Board to work with trusts to meet them.

**Mr I McCrea:** I welcome the Minister's commitment to continuing to drive down those targets. Can the Minister detail figures from other years so that we can see how they compare from year to year?

**Mr Poots:** In previous years and from last year, there has been a marked reduction. The number waiting for an outpatient appointment was reduced by 6,432 — 6% — from 2011-12, and the number waiting for nine weeks has been reduced by 12,145 or 38%. The number waiting for inpatient admission has been reduced by 5,191, which equates to 10%, and the number waiting for longer than 13 weeks has been reduced by 2,754, which equates to 16%. Members can see that, year on year, we are making a significant dent in waiting times and delivering for the people of Northern Ireland. We will continue that work.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I was interested in the Minister's response to the question. Is the Minister inclined to take a run at the issue of appointments cancelled by consultants and hospitals as opposed to those who do not weigh in for their appointment? Considering that over 180,000 appointments were cancelled last year, that would have an impact on waiting times.

**Mr Poots:** I thank the Member for her question. We are certainly looking at how to ensure that there is a better response from those in hospitals who provide the service and that fewer appointments are cancelled by consultants. Hopefully, we can make progress on that front because cancellations do not always come from the individuals who are waiting to see a consultant.

## 2.45 pm

**Mr Dallat:** I commend the Minister for any reduction in waiting times. Can he give the House an assurance that the day will soon come when people are not forced to switch to private practice to obtain a consultation?

**Mr Poots:** I wish that I could give the Member a straight yes to that question, but I cannot. In the health service, we are constrained in many ways because of contracts. The Member will know, for example, that doctors are private contractors. They negotiate in London at a UK-wide level. Therefore, some of the issues that I have that relate to long waiting lists will not be challenged just as easily as that, because we operate under significant constraints. Our acquisition of services to reduce waiting lists reduces the power of individuals in that respect. That should be welcomed, because it will enable us to continue to drive down waiting times and make it less desirable for people to go private. In some instances, it is not that it is desirable; sometimes people feel that they have no choice but to go private because they cannot stand the pain. We are

working on reducing that time in order to allow people to have greater choice when it comes to their healthcare.

**Mr Deputy Speaker:** Megan Fearon is not in her place.

## Water Fluoridation

6. **Mr Agnew** asked the Minister of Health, Social Services and Public Safety for an update on the proposals to fluoridate the water supply. (AQO 4292/11-15)

**Mr Poots:** I am still considering my position on the fluoridation of water supplies in Northern Ireland and will continue to consult Executive colleagues on the matter before I come to a decision. I have not formally brought proposals to the Executive on the matter. If a proposal to fluoridate water supplies is made, appropriate evidence from reputable scientific and medical sources will be considered. We are required under the Water and Sewerage Services (Northern Ireland) Order 2006 to consult and ascertain public opinion. I recognise that there are strongly held opinions. Should such a consultation proceed, I will welcome the views of all interested parties at that time.

**Mr Agnew:** I thank the Minister for the update. Can he outline both the nature and quantity of correspondence that he has received on the issue to date? I appreciate that it has not gone out to full public consultation, but I anticipate that he has had some correspondence. Does he agree that fluoridation could not be imposed on society and could be done only with community consent?

**Mr Poots:** As the Member rightly points out, we have not gone out to consultation. I have received correspondence on it from people who seem to think that the internet is the most reputable source of scientific information available and from people who do not recognise the oral problems that exist in Northern Ireland. We have some of the worst standards in Europe for dental outcomes, particularly for children and young people. People make all sorts of ludicrous claims. I have received correspondence from some people along those lines.

**Mr Campbell:** The Minister has just referred to the dental health of our younger generation. Can he outline some of the plans, proposals and actions that are being undertaken to ensure that dental decay among the younger generation is reduced?

**Mr Poots:** We cannot simply sit back and allow dental deterioration in young people. We have to move forward. For example, we have fluoride toothpaste schemes. The schemes were established by DHSSPS and are aimed at five-year-old children in the 20 most deprived areas of Northern Ireland. That is an evidence-based intervention whereby free fluoride toothpaste is given out. The scheme was in place in all trusts by September 2005. Since 2005, we have provided additional fees to be made available to dental practitioners for fissure sealants targeted at newly erupted first and second molar teeth. That evidence-based intervention places a protective plastic coating on teeth when they are at the greatest risk of decay. It reduces food and plaque accumulation and makes the teeth easier to clean. We have also introduced capitation payments for dentists who provide care to children from deprived areas. We have been focusing work on community dental services and high-priority areas, such as providing care for children from socially disadvantaged areas and evidence-

based oral health improvement programmes. So, we are doing a series of things and will continue to do so.

It is absolutely incumbent on us to improve the circumstance that we have children as young as two who have had most of their teeth extracted. I know that some Members may dismiss all that and think that it is unimportant that we provide good dental care or ensure that children have a good start to life as regards their dental care, but I think that it is a very important issue. We will be guided on this not by the internet but by the scientific evidence provided to me from reputable sources.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister believe that tackling health inequalities in their totality will help to eradicate oral health and dental issues?

**Mr Poots:** I accept the Member's point. That is why we engage in schemes such as the family nurse partnership, why we support schemes such as Sure Start and why we will support the scheme that the Office of the First Minister and Deputy First Minister recently proposed, which will ensure that we provide more help to parents who very often find themselves in vulnerable situations in order to ensure that their children get the best start in life.

## Teenage Pregnancies

7. **Ms P Bradley** asked the Minister of Health, Social Services and Public Safety what progress has been made on reducing the number of teenage pregnancies. (AQO 4293/11-15)

**Mr Poots:** Good progress has been made on reducing the number of unplanned births to teenage mothers. In 2012, the provisional number of births to teenage mothers was 1,100. That is the lowest figure recorded in almost 40 years and represents a 27% reduction since 2002. A range of programmes and services to reduce the rate of teenage pregnancy has been taken forward in line with the actions in my Department's sexual promotion strategy and action plan.

**Ms P Bradley:** I thank the Minister for his answer. I welcome the figures, which show that schools and communities do good work around prevention. Minister, can you confirm that Marie Stopes has applied for RQIA regulation of its clinic and tell us the extent of any regulation that the RQIA can offer?

**Mr Poots:** I will not comment on individual organisations that may have applied for registration — that is an operational matter for the RQIA — but any clinic or organisation that applies for registration would be subject to an inspection by the RQIA on at least an annual basis. The inspection covers areas such as the nature of the built environment; record keeping; employment and regulatory arrangements for staff; and the procurement, storage and dispensing of medication. It will also address the care and welfare of patients; the numbers, qualifications and experience of staff and their fitness to perform their work; professional practice; records; staff views; complaints; fitness of premises; financial viability; and notification of events. However, the RQIA does not regulate the individual services provided by the establishment or the individual procedures undertaken. Furthermore, the RQIA does not have statutory powers to assess clinical decisions.

I recognise that there is huge public interest in providing confidence that the law is being upheld. I know that the

Justice Minister has indicated that he intends to bring a paper to the Executive, and I look forward to seeing that.

**Ms Maeve McLaughlin:** I welcome the figures. Has the Minister had any discussions with the Minister of Education about teenage pregnancies or teenage parenthood?

**Mr Poots:** The Health Department and the Department of Education have been working together on those issues for many years. Certainly, education has a key role in providing information to young people and making sure that they are well informed on the issues. We can have no doubt that education played a key role in ensuring that we actually drove down the numbers. We are looking at reviewing the teenage pregnancy and parenthood strategy in the future.

The following recommendations will also be considered: the extension of the sexual health promotion strategy and action plan; actions to resolve and progress issues surrounding young people's confidentiality; the issue of guideline leaflets, which will be taken forward by the sexual health improvement network; and support to the young parents element of the teenage pregnancy and parenthood strategy, which will be adapted by the sexual health improvement network to include information on parenting rights, responsibilities and fatherhood.

**Mr D Bradley:** Go raibh maith, a LeasCheann Comhairle. I thank the Minister for his answer and welcome the reduced figures. As the Minister said, quality sex education has a role to play in reducing the figures. Is the Department taking or planning any joint actions with the Department of Education in that respect?

**Mr Poots:** On relationship and sexuality education (RSE), the Public Health Agency, for example, is working in partnership with the Department of Education and the education and library boards to provide training and support to teachers. A number of voluntary organisations including Aids Care Education and Training, the Family Planning Association, Love for Life and so forth are commissioned to deliver RSE programmes in youth and community settings. RSE training programmes are also commissioned for parents, carers and staff working with young people.

## Health and Social Care Board: Commissioning Plans

8. **Mrs McKevitt** asked the Minister of Health, Social Services and Public Safety whether he has any plans to reinstate the practice of routinely publishing the communications issued to the Health and Social Care Board instigating the development of a commissioning plan for a specific technology appraisal, in order to increase transparency and enable effective monitoring of the process. (AQO 4294/11-15)

**Mr Poots:** My Department does not currently have any plans to publish the communications issued to the HSC board. The key information from them is already put on my Department's website within a day of the communication being sent to the HSC Board. An annual report is being produced that will set out relevant monitoring information. The first one covers a period of 18 months from the introduction of the new process. The HSC Board web page for the National Institute for Health and Clinical Excellence has been online since April 2013 and includes a summary of service notifications or commissioning plans issued by

the HSC board with respect to technology appraisals since September 2011. The web page can be accessed through the HSC Board's website.

**Mrs McKeivitt:** Will the Minister explain to the House why this region is so far behind the rest of the UK in sanctioning new technology in commissioning for treatment for diseases such as cancer?

**Mr Poots:** There could be a number of reasons for that. This region has benefits that others do not. For example, if you receive domiciliary care at home, you do not pay for that in this region, but you pay for it in other regions of the UK. That is a substantial expense for our health and social care service, and, if Members are saying that we should remove that service to the public, that would certainly create more funding for other services. There are other things, such as free prescriptions. I have indicated to the House — I have put a paper to the Executive — that I think it is wrong that many people in the Chamber, for example, receive free prescriptions who could well afford them while there are others waiting for cancer treatments who cannot get the drugs because we do not have that funding available. I have suggested that we should have some form of prescription charge so that we can buy specialist drugs to support people who have cancer and other life-limiting illnesses. I would be happy to have the support of the House to drive things forward in order to ensure that we provide the greatest level of care for people who have cancer and other serious illnesses in a way that may be available in other parts of the UK.

### Rathmoyle Residential Home, Ballycastle

9. **Mr McKay** asked the Minister of Health, Social Services and Public Safety whether the proposed closure of Rathmoyle residential home in Ballycastle has been halted, pending the outcome of the review by the Health and Social Care Board. (AQO 4295/11-15)

**Mr Poots:** I want the best available care for all our older people. That means change will be required, and I am already on record as supporting a change in the model of care as outlined in 'Transforming Your Care: from Vision to Action'. I know that Rathmoyle statutory residential care home is one of the sites scheduled for some time for the development of a supported living scheme and that there has been considerable local engagement on those proposals. Where individual care plans have been agreed regarding the movement of residents from one facility to another, I do not wish to disrupt or cause any upset to those plans. However, the pace of change for other residents and clients is important. I want to be sure that no undue pressure is placed on individuals, including those who receive day care and respite provision at Rathmoyle.

### 3.00 pm

Before any decision is taken on the future of Rathmoyle, my Department will expect the HSC Board to provide an assurance that past consultation, engagement and analysis of responses have followed best practice and that the current arrangements for engagements with residents and families are appropriate. I do not wish to see further change in arrangements at Rathmoyle until the HSC Board assures the Department that good suitable alternatives for daycare and respite provisions are in place and working well.

## Social Development

**Mr Deputy Speaker:** I see that Mr Flanagan is not in his place.

### Social Housing Programme

2. **Ms McCorley** asked the Minister for Social Development for a breakdown of the make-up of the social housing development programme over the last two years.

(AQO 4303/11-15)

#### **Mr McCausland (The Minister for Social Development):**

In the 2011-12 financial year, there were 114 newbuild schemes, which comprised a total of 1,410 units, with a housing association grant spend of £139,820,000. Of those 1,410 units, 96 were supported housing units, 181 were rural needs units, and 1,133 were urban needs units. Those units were made up of 984 newbuilds, 275 off-the-shelf purchases, 109 existing satisfactory purchases, 34 rehabilitations and eight re-improvements.

In the 2012-13 financial year, there were 89 newbuild schemes, comprising a total of 1,379 units, with a housing association grant spend of £83,661,000. Of those 1,379 units, six were Travellers' units, 163 were supported housing units, 118 were rural needs units, and 1,092 were urban needs units. These units were made up of 1,036 newbuilds, 130 off-the-shelf purchases, 111 existing satisfactory purchases, 72 rehabilitations and 30 re-improvements.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Does he agree that sometimes the information given can be unclear as to how many actual houses were completed in one financial year? Sometimes there is too much information about overlap and not enough firm information on what was actually completed in one financial year.

**Mr McCausland:** I accept that the situation is that work very often starts in one financial year and runs into the next one. However, if houses are not included in the figure for one year, they will obviously follow in the figure for the subsequent year. The important thing is that we have plenty of good information so that Members are well informed. I am always happy to provide information on these matters.

**Mr Campbell:** The Minister outlined the case over the past number of years. Can he outline what the capacity issue will be in the next two years, for example, as he plans for that time period?

**Mr McCausland:** The Member raises an important point about capacity. The fact is that, in the 2012-13 year, there was an underspend of £8 million. The reasons for that are several. In one sense, it is the result of the fact that housing can now be provided more cheaply than previously. Indeed, land purchases are much cheaper than they would have been in previous years. Also, in Northern Ireland, we have 29 registered housing associations. However, in both the past two years, less than half of those have been involved in delivering new housing. In fact, in each of those two years, four housing associations delivered close to 80% of the programme. When you have 80% of the housing being provided by four housing

associations out of a total of 29, you can see that the others are not contributing in any major way.

That leads me on to another issue, I suppose: that there may be a possibility of looking at another provider. I do not want to go down that road, but if housing associations cannot step up to the mark, there will always have to be a look at a last resort.

We are also looking at the whole social housing development programme, and I have asked the performance and efficiency delivery unit of the Department of Finance and Personnel (DFP) to carry out a study in that regard. I am not convinced that it will, necessarily, address the housing associations' apparent unwillingness to deliver more. They could and should be delivering more.

We are putting a real challenge to the Housing Executive about how it operates the programme. There is also a big challenge to the housing associations, particularly those that are delivering nothing in the way of newbuilds.

**Mr Lyttle:** Given the encouragement that the US President gave this morning for more integrated housing — he said that it was essential for peace in Northern Ireland — how much of this housing was of a mixed or shared nature?

**Mr McCausland:** As the Member will be aware, housing is allocated on the basis of need. In a particular common landlord area, housing will be allocated according to the need in that area. I would not have any details on the precise breakdown of that. If you have a mixed area, it is generally the case that people will come from both communities to live in that area. If an area is exclusively of one community, generally the people who come to live there are from that community. That has been a fact over the past while. The Member will be aware, however, that there were a number of references to shared housing in the recent package of proposals that emanated from the Office of the First Minister and deputy First Minister.

**Mr Copeland:** The Minister will be aware, as I am, that the social housing development plan was agreed in January 2012. Since then, the Minister and a number of his officials have intervened and added, in a welcome way, other areas to the newbuild programme. Some of that took place a number of months afterwards.

**Mr Deputy Speaker:** Can we have a question, please?

**Mr Copeland:** Given that precedent, will the Minister detail whether he has yet intervened to seek additional changes to the proposed programme in light of the proposals that are contained in welfare reform?

**Mr McCausland:** As soon as the direction of welfare reform became clear, I met the Housing Executive and challenged it on the nature of the social housing development programme. I posed the question whether, in drawing up that programme, it had taken account of welfare reform. The answer was no. So, I sent it away to do some additional work, and you can see the results and fruits of that starting to come through in the provision of a more appropriate mix of sizes of accommodation.

I would pick up on one point that the Member raised: the social housing development programme. Each year, I am asked to approve a programme, and, last year, only one third of the programme that I approved was delivered. You approve a programme, but what emerges on the ground bears little resemblance to it. The housing associations,

for whatever reason, do not deliver on those particular programmes, but other programmes emerge. That is why we need to look holistically at the social housing development programme. There is very little point in bringing me a package of proposals at the start of the year for schemes here, there and elsewhere when what is created at the end of the year ends up bearing virtually no resemblance to that.

Last year, £40 million of the funding for the programme was spent in the last two days of March and 60% of the units were delivered on the last three working days of the financial year. Those sort of issues need to be looked at more thoroughly.

### Social Housing: Energy Efficiency

3. **Mr D Bradley** asked the Minister for Social Development what checks are carried out to ensure the energy efficiency of social housing stock. (AQO 4304/11-15)

**Mr McCausland:** The Housing Executive has almost completed the production of energy performance certificates (EPCs) for its entire stock. EPCs detail the energy performance of each dwelling and take account of factors such as insulation, double glazing and heating type. The majority of the housing association stock is relatively new, and most of it has been built to level 3 in the code for sustainable homes. Since the last financial year, all new social housing stock is built to new building regulations standards.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. What action has his Department taken to ensure that cavity wall insulation is installed in historical and new social housing stock?

**Mr McCausland:** I am conscious of that issue and have raised it; first, because of experience of my constituents highlighting the difficulties that they had not only of energy efficiency but of dampness penetrating walls. So, we have put that to the Housing Executive and a work programme is being developed in that regard.

**Ms Brown:** What is the Minister's Department offering the privately owned and rented sectors by way of energy efficiency?

**Mr McCausland:** The warm homes scheme is my Department's major energy efficiency improvement scheme. It is also my Department's primary tool in tackling fuel poverty. That scheme is administered by the Housing Executive and delivered by scheme managers Bryson Energy and H&A Mechanical Services. The scheme offers a range of insulation and heating measures to householders in receipt of a qualifying benefit; they may be able to receive help with insulating their homes. Householders eligible for warm homes plus may be entitled to installation of a fully controlled energy-efficient oil or gas central heating system, where no heating system currently exists. The measures delivered by warm homes make a home warmer and more energy-efficient.

We also have the boiler replacement scheme, which is funded by my Department and aimed at owner-occupiers whose total gross income is less than £40,000 and who have an existing boiler that must be at least 15 years old.

In some cases, that has delivered a much-appreciated increase in fuel efficiency of as much as 30%.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister outline what impact energy efficiency in social housing has on fuel poverty?

**Mr McCausland:** The three things that cause or contribute to fuel poverty are the cost of fuel, the level of income in the home and the energy efficiency of the home, which we can directly impact on. We can do a lot around income, such as through benefit uptake programmes, which can help in some cases. There is more limited control over the cost of fuels, because that is influenced by international markets. However, energy efficiency of homes is hugely important in being something that we can really tackle and deal with locally.

### Housing Executive: Housing Standards

4. **Mr Lynch** asked the Minister for Social Development whether the standards for housing set by the Housing Executive have fallen in the last five years. (AQO 4305/11-15)

**Mr McCausland:** The standards for all new social housing are set by my Department, not by the Housing Executive. Key objectives of the housing strategy for Northern Ireland are to reduce the burden on social housing construction and to harmonise standards with those used for private housing development. My Department's current design standards for newbuild social housing, effective from April 2012, require housing associations to continue to build high-quality homes that not only meet the higher energy and carbon emissions requirements of the new building regulations that were launched in October 2012, but ensure that they are safe, flexible, adaptable and accessible.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Have housing associations that have provided the high-quality work that the Minister talked about been instructed by his Department to use cheaper materials or meet the cost themselves?

**Mr McCausland:** No. In fact, an incentive by way of a modest increase in construction cost allowances of 3% is available to associations that choose to build to the full code level 3 standards.

**Ms P Bradley:** Minister, what is the Department's policy in relation to compliance with the lifetime homes standards?

**Mr McCausland:** The Department's design standards require housing associations to comply with lifetime homes standards. Subject to approval, associations may deviate from those, depending on local conditions and viability.

**Mr McCarthy:** Has the Minister had any reason to exercise deterrents in relation to those that did not come up to the standards expected by his Department?

3.15 pm

**Mr McCausland:** No; the standard of house building by housing associations has been good. I identified the problem earlier: it is not the quality but the quantity. We are not seeing throughput or delivery. A small number of housing associations are doing an excellent job by building plenty of homes — 80% of the total — but the others are falling far short. They have property portfolios. They

own a number of properties and have collateral, so they should be able to borrow and to build, but that is just not happening.

### Housing Executive: No-fines Construction

5. **Mrs Hale** asked the Minister for Social Development to detail the number of Housing Executive homes in the Lagan Valley constituency that are no-fines construction. (AQO 4306/11-15)

**Mr McCausland:** My attention was seized by the issue of no-fines houses when I learned that some 5,000 Housing Executive properties across Northern Ireland were of no-fines construction. For the benefit of Members: no-fines houses are constructed from a type of single-skin concrete wall with no cavity. I believe that those properties would benefit from a programme of external insulation, and I asked the Housing Executive to develop such a programme urgently for all houses of no-fines construction, prioritising those properties most in need.

In Northern Ireland, over 9,000 Housing Executive homes, including the no-fines homes, are of solid-wall construction: that is, they have no cavity walls. Those include 740 Orlits, 615 Easiform properties, 801 rural cottages and 3,444 pre-1940s terraced houses. Some 2,470 housing association properties are also of solid-wall construction.

As for the number of homes in the Lagan Valley constituency that are of no-fines construction, that information is not available in the format requested because the Housing Executive does not routinely collate information by parliamentary constituency. However, it has advised me that 688 homes of no-fines construction are located in its Antrim Street and Dairy Farm Lisburn district office areas and its Banbridge district office area, which comprise the Lagan Valley constituency.

**Mrs Hale:** I thank the Minister for his answer. Will he inform the Chamber what action the Housing Executive has taken so far?

**Mr McCausland:** I took that up with the Housing Executive some time ago. Many constituents were coming into my office saying that their houses were cold and damp and had been like that for many years, but were being told that the problem was condensation. When we got to the bottom of the issue, we discovered — not directly from the Housing Executive but from other sources — that the problem was no-fines construction.

There are major issues not only about heat loss but about dampness. I requested an urgent report from the Housing Executive. It produced a paper on no-fines houses with key objectives and recommendations, which was approved by the chief executive's business committee on 3 June. The Housing Executive now has a working group to progress its strategic approach to the thermal performance of all of its no-fines stock. That group will initially consider the technical solutions available and, once options and costs are known, will evaluate the strategic direction for all no-fines houses.

The Housing Executive is also involved in a project that is funded by Technology Strategy Board research and development with seven other partners that aims to carry out an external insulation of five properties in one of the Housing Executive's no-fines estates. I might add that, on

a recent visit with the vice-chair of the Housing Executive to look at housing experience as it is delivered in England, particularly in Liverpool and Manchester, I saw at first hand examples of no-fines houses that had been treated with a particular approach that addresses the problem. One of the tenants said that it was a great job because when the work was being carried out, she did not have to leave her home, and since it had been done, she has not turned the heat on for two months. I am sure that people who live in the substandard conditions of many of those no-fines houses — they have possibly been living in them for decades —

**Mr Deputy Speaker:** The Minister's time is up.

**Mr McCausland:** — could also benefit in that way.

**Mrs Dobson:** Will the Minister detail whether those properties have ever been prioritised in previous initiatives to improve their thermal performance? If not, does the Minister believe that that may have been a slight oversight?

**Mr McCausland:** I think that the word "slight" is inappropriate; it was a major oversight. We await the full report, but I have made direct enquiries about what reports were produced on a particular estate over a period of years. A couple of reports produced in preparation for ECM schemes mentioned the walls but suggested that nothing be done about them. As far as I can gather from the information that I have so far, it seems that there was no approach at all over the years to tackling the issue until I raised it with the Executive. Whether the issue is double glazing installation or houses without cavity wall insulation, it confirms that we have made energy efficiency right up there as a priority.

It sounds as though I am always having a go at the Housing Executive, but, in this case, there are more than reasonable grounds — very strong grounds — for saying that this is unacceptable. People should not be expected to live in cold and damp conditions.

**Mr Allister:** Good as it would be to make provision for these houses, can the Minister say whether he is being lobbied directly, or indirectly, by a party colleague whose family have an interest in a company that just happens to provide this external insulation?

**Mr McCausland:** The answer to that is no. I speak as a complete amateur in technical things. I was convinced that the only thing that could be done with these houses was to knock them down. That was until the vice-chair of the Housing Executive took me to look at houses in Liverpool, and, when I saw what had been done there, I was convinced otherwise. I saw not only a house with transformed energy efficiency but the very attractive job that had been done to make it look much more modern in style.

In Northern Ireland, we need to learn from others and look at a range of ways of doing things. I mentioned Liverpool and Manchester, although I recently visited Dundee to look at examples of good practice there and to compare and contrast that with what is being done in England. There is a lot of work to be done on that. The Housing Executive officials with me were also very impressed by the good practice in Great Britain.

## Derelict Homes

6. **Mr Givan** asked the Minister for Social Development what opportunities exist for community-based social economy organisations to carry out building work on derelict and empty homes on behalf of the Housing Executive. (AQO 4307/11-15)

**Mr McCausland:** The Northern Ireland Housing Executive is bound by its standing orders, Northern Ireland public procurement policy and the Public Contracts Regulations 2006. They require the Housing Executive to procure all supplies, works and services in accordance with the policy and regulations. Although contracts are not directly awarded to community-based social economy organisations, it is possible for my Department to approve direct awards, but there would need to be a compelling business case. My Department is, however, consulting on a policy for community asset transfer, and the Housing Executive is considering potential opportunities to work with community-based social economy projects through such a policy to develop opportunities for social enterprise in social housing areas to foster community sustainability.

**Mr Givan:** I thank the Minister for that response. He will know that many community organisations are to the fore in driving forward developments and identifying needs in their area. To that extent, would he encourage organisations, such as those in my constituency — for example, the Resurgam Trust — to continue that work? Would he also encourage the Housing Executive to develop and implement such a policy?

**Mr McCausland:** I am very familiar with the work of the Resurgam Trust in the Lisburn area. I commend its efforts to promote the social economy model to regenerate local communities and provide real employment opportunities for people in disadvantaged communities. My Department is supporting a social economy growth pilot project through the trust. I am aware that the organisation is keen to explore other opportunities that will become available through the new policy framework for community asset transfer. So the direct answer to your question is yes, we should encourage that, and public sector organisations should encourage a social economy approach where possible.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith as na freagraí. Will the Minister give us some idea of the safeguards that are in place, if any, to ensure that properties that are brought to that particular standard through the Get Britain Building scheme are not subsequently sold on in a speculative transaction?

**Mr McCausland:** So far, only one housing association has received moneys from the Get Britain Building fund to take forward an initiative that will bring up to 150 empty homes back into use over the next few years.

I take the Member's point on board. My understanding is that the particular model that is being looked at would preclude that possibility. I am happy to get back to the Member with further information if it is required.

**Mr Cree:** It is self-evident that the longer that a property remains empty, the more costly that it is likely to be to get it back into service. With 20,000 applicants in housing stress, there cannot be an argument for having empty or derelict houses. How many empty or derelict houses are

there at present and how does that number compare with the situation in 2007 at the height of the building boom?

**Mr McCausland:** Empty homes come in different shapes, sizes and styles, and it is difficult to come up with precise figures. Some time ago, we asked the Housing Executive to take forward a piece of work that looked at two areas where we thought there were quite a number of empty homes. When the Housing Executive's representatives knocked on doors and checked back, it transpired that properties that seemed to be empty turned out not to be empty but simply appeared to be so. Therefore, it is very difficult to put a precise number on these things.

However, there are older houses that have been largely abandoned and allowed to run down, and there are new properties that are almost but not quite finished. It is quite a diverse mix. The Member raises a crucial point, which is that at a time of housing need, when the construction industry needs work, it is bizarre that properties are sitting there that could be brought into use. That could create work, create new homes and remove a potential blight, whether in the form of an old house or a building site that becomes a gathering ground for antisocial behaviour because houses are unfinished. It is a three-way win, in the form of houses, work and the removal of blight.

### Benefits: Atos assessments

7. **Mr Sheehan** asked the Minister for Social Development for his assessment of the service provided by Atos, which has resulted in a large number of people losing their entitlement to incapacity benefit or employment and support allowance. (AQO 4308/11-15)

**Mr McCausland:** Prior to my taking up office in May 2011, the Northern Ireland Assembly approved the Welfare Reform Act (Northern Ireland) 2007, which set down the eligibility criteria for determining entitlement to employment and support allowance and the requirement to undergo a work capability assessment as part of the eligibility process.

Atos Healthcare was awarded the contract in December 2010, and since June 2011 it has been providing medical advice and work capability assessments to support Social Security Agency officials to make decisions under the legislation.

The services provided by Atos Healthcare are governed by a commercial agreement between my Department and Atos. The agreement includes a performance model with a range of contractual service levels against which the supplier's performance is measured. The work capability assessment is carried out by local healthcare professionals who are employed by Atos to assess the functional capability for work of claimants who are claiming, or being reassessed for, employment and support allowance.

In agreeing to the introduction of the work capability assessment, the Northern Ireland Assembly recognised that it would need to be kept under review, and such a provision was made in section 10 of the Welfare Reform Act (Northern Ireland) 2007. Professor Malcolm Harrington, an occupational health specialist, was subsequently appointed to undertake the three annual reviews in Great Britain and Northern Ireland. To date, 34 out of 37 of his recommendations that are relevant to the Social Security Agency have been implemented. My

Department is now working with Professor Harrington's replacement, Dr Paul Litchfield, to examine ways in which to continue to make improvements.

I recognise the concerns that have been raised by some Members about some individual cases brought to their attention. It is therefore important that Atos Healthcare's medical processes, training, recruitment and medical outcomes are regularly monitored and audited to ensure that a high level of service is achieved. In August 2011, my Department appointed an independent health assessment adviser —

**Mr Deputy Speaker:** The Minister's time is up.

**Mr McCausland:** — who is a medical health professional, to provide an independent assurance on the quality of all processes and outcomes.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer.

I am sure that the Minister is aware of the contention and controversy around this service, given that the primacy of medical evidence has been relegated and that a large number of claimants have lost their entitlement. Will he tell me what percentage of claimants who lost their entitlement won their cases on appeal?

### 3.30 pm

**Mr McCausland:** During the period June 2011 to April 2013, 120,061 claimants completed a work capability assessment. Of those, 34% of claimants were disallowed and 66% were allowed, of which 43% were assigned to the support group and 52% were assigned to the work related activity group. Work is ongoing in regard to the other 5%.

The Member raises the issue of people who win cases on appeal. I do not have the precise figure he asked for in front of me, but I will supply it. The key thing for me is that it is important that all of the relevant medical information is made available at the earliest point in the process. Generally, when appeals are upheld, it is because information that was not available at an earlier stage is provided. I encourage MLAs and people who operate advice services to ensure that, wherever possible, the maximum amount of medical information is input into the system and into the journey for an individual client at the very earliest stage.

**Mr Deputy Speaker:** That concludes Question Time for today.

**Mr McCarthy:** On a point of order, Mr Deputy Speaker. Given that we have no further business to conduct today, would it not be reasonable to request that the Minister be allowed to continue answering questions, because there are two very important questions still on the list.

**Mr Deputy Speaker:** Order. Question Time is up.



## Private Members' Business

### Fishing: Aid Package

*Debate resumed on motion:*

*That this Assembly welcomes the efforts made by fishermen in meeting EU catch regulations in respect of cod and in reducing other unwanted catches; recognises the expense incurred in purchasing highly selective gears and forgoing valuable catches as a result of using these gears; sympathises with those fishermen whose earnings have been dramatically reduced because of a combination of bad weather and using new fishing gears; and calls on the Minister of Agriculture and Rural Development to deliver urgently a meaningful package of aid designed to assist those fishermen who have helped her comply with the commitments she made at the EU Fisheries Council in December 2011. — [Mr Frew.]*

**Mr Irwin:** My constituency does not have a natural affiliation with the sea, and I am someone who is much more at home with his feet on the green grassy slopes of Newry and Armagh. However, I have empathy with our fishermen in Northern Ireland, who, like our farmers, are not only at the mercy of the weather but are also at the mercy of the European Union and its increasingly restrictive laws and directives.

The task of getting the fresh fish we all enjoy from the depths of the sea to our dinner plate involves a significant operation, with the most risky element of the supply chain involving dedicated fishing crews taking to the high seas to land various sorts of sea life for our food industry. The fact that our fishermen are exposed to significant risk is in itself worthy of admiration. However, when you mix in the restraints placed on our fishermen in terms of days at sea and catch quotas and the significant issues with the weather of late, you begin to realise just how difficult fishing has become around our waters.

The EU common fisheries policy has been no friend to our fleet in Northern Ireland. I support the view that the regulating and managing powers of the EU in that regard should be handed to member states to administer, as that would allow a region to respond to the realities of fishing in its waters and take into account the specific marine environment stocks and the condition of the fish that our fleets catch.

As with many other areas of food production, the EU continues to make life difficult for Northern Ireland and the rest of the UK. I could speak about the poor directives from Europe that have cost our poultry sector, our pork industry and other sectors, whereby the failure of other member states to implement directives has resulted in the unacceptable situation where our industries have spent money to adapt and ended up being undercut by products from countries with much lower standards.

The Anglo North Irish Fish Producers' Organisation has consistently lobbied the Agriculture and Rural Development Minister to offer a financial package to the fleet. That would go some way to sustaining the fishing industry in Northern Ireland following months of hardship. The pressures on the industry here have been intensifying rapidly. The goodwill of our fishermen has been tested to breaking point. In respect of developing fishing gear

to reduce unwanted catches, as Michelle O'Neill has requested, seven options have been identified. Pursuit of those modifications has resulted not just in expenditure on developing the gear but a loss of catch and a significant loss of earnings.

Figures for the industry for the first half of 2013 compared with the first half of 2012 make for very concerning reading. That is why this motion has been brought before the House today. The value of the catch of local trawlers from January to June has dropped by 40% compared with the same six-month period last year. The fleet is now halfway through one of the most productive months of the fishing calendar. However, prospects have not improved, which, understandably, has left many disheartened.

I will refer to the comments of some Members who spoke in the debate. Mr Frew said that the industry has invested very heavily to comply with Europe. He believes that, if fishermen were given support, the industry would have a very bright future. Mr Hazzard commented that the fishing industry already receives support but said that it is possible that more could be done. Mrs Dobson referred to the reform of the EU cod recovery plan and the new flexibilities included in that. The House will be delighted to know that it was, of course, the DUP's Diane Dodds who delivered that reform. Mr McCarthy said that the industry had been in decline for many years and that every effort must be made to stop that decline.

Michelle McIlveen, following on from her Adjournment topic last week, said that she has spoken to fishermen and that they are despondent. She said that the bad weather had had a big impact and that a hardship payment would help fishermen through this difficult time. Michelle also welcomed the Minister's acknowledgement of the suggestion that a task force meets the banking sector. I look forward to that meeting taking place.

Joe Byrne said that the big issues are quotas and days at sea. He felt that there is a need for the Department to develop forward planning. Mike Nesbitt said that fishermen work very hard. He actually said that he gets it much easier than fishermen, which is very interesting. Jim Allister commented how dangerous the job is and said that fishermen have been taken for granted. He also stated that the common fisheries policy had been a disaster for the industry.

The wife of a fisherman from Portavogie put the following on her Facebook page:

*"Yeah, have to laugh. The most productive part of the fishing year ahead. How much exactly does she think the men will earn in the three months from now until the end of the September? God forbid this year is like last year. The weather will turn again come September. A year's salary in three months? Yeah, right."*

Does the Minister understand the reality of the situation? When did the Minister last speak to fishermen about the industry and how they feel it is going?

**Mrs O'Neill:** Will the Member give way?

**Mr Irwin:** I will.

**Mrs O'Neill:** I can assure the Member that I regularly engage with fishermen and that I correspond with them in writing, by e-mail and in person.

**Mr Irwin:** The Minister told the House today that she will keep the situation under review. Many in the industry will see that as a fudge. Those in the industry who are suffering want action. Saying that there will be a review is putting it off until another day. If there is going to be a review, the Minister must conduct it immediately.

**Mr Frew:** I thank the Member for giving way. I understand what the Minister has said. However, when I ask the Minister about the fishing fleet and the assistance that she can give to it, it takes her more than the 10 years — sorry; the 10 days — allocated to answer those questions for written answer. It sometimes feels like 10 years. I believe that the Minister is turning her face away from fishing.

**Mr Irwin:** I agree with the Member.

In 2008-09, a financial package for the industry helped it through that period. Since that, the industry has managed very well, but it has hit a real bad spot at this time. I, and many of us here, believe that if some assistance was given to the industry at this time, it would have a bright future. We call on the Minister to not only act on a review but to act immediately and give some help to the fishermen.

*Question put and agreed to.*

*Resolved:*

*That this Assembly welcomes the efforts made by fishermen in meeting EU catch regulations in respect of cod and in reducing other unwanted catches; recognises the expense incurred in purchasing highly selective gears and forgoing valuable catches as a result of using these gears; sympathises with those fishermen whose earnings have been dramatically reduced because of a combination of bad weather and using new fishing gears; and calls on the Minister of Agriculture and Rural Development to deliver urgently a meaningful package of aid designed to assist those fishermen who have helped her comply with the commitments she made at the EU Fisheries Council in December 2011.*

*Adjourned at 3.41 pm.*

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# Northern Ireland Assembly

Tuesday 18 June 2013

*The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Dallat] in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Flanagan:** On a point of order, Mr Deputy Speaker. Sula dtosaímid leis an ráiteas, caithfidh mé a rá go bhfuil brón orm nach raibh mé anseo inné chun an cheist a bhí agam a chur ar an Aire Forbartha Sóisialta. Before the Minister starts his statement, I wish to take this opportunity to apologise to the House and to the Minister for Social Development for not being here yesterday to pose a question for oral answer that was in my name.

## Ministerial Statements

### Planning Policy Statement 16: Tourism

**Mr Attwood (The Minister of the Environment):** With your permission, Mr Deputy Speaker, I wish to make a statement to the effect that I am now issuing Planning Policy Statement 16 on tourism and bringing it into effect.

This document will supersede the current policies for tourism in 'A Planning Strategy for Rural Northern Ireland'. With the spotlight of the world on us and with the particular attention on Fermanagh, this new policy is timely and relevant. It attempts to shape how we can manage and plan tourism developments and, as we do so, safeguard our great heritage. With other Executive Ministers, I was down in Enniskillen last night at a press function. Given the weather, the scenery and the scale of attention, it clearly is a great opportunity for Fermanagh and the North, and this tourist policy will fit neatly into maximising those opportunities as we go forward.

I wish to acknowledge all who contributed to the policy, particularly since the consultation on the draft. The Minister of Enterprise, Trade and Investment and her officials, the chair, chief executive and staff of the Northern Ireland Tourist Board and Department of the Environment (DOE) officials have been essential to today's outcome and the signpost that it offers towards sustainable tourist development. As I will outline in this statement and in the answers to the questions that I will be asked, it deals with tourist development in settlement areas and in rural areas. It protects from inappropriate development and safeguards tourism assets, but it creates opportunities at the same time.

The PPS takes account of the emerging tourism 'Priorities for Action' plan being brought forward by the Minister of Enterprise, Trade and Investment, which sets out a new vision, strategic direction and targets for tourism.

The targets for achievement by 2020 are to increase visitor numbers to 4.5 million and to double earnings from tourism to £1 billion — that is, to increase earnings by 100% in the next six to seven years and to make tourism a £1 billion a year industry. All of that will revolve around the scale, wonder and beauty of our natural and built heritage. Six of the 10 top visitor attractions in Northern Ireland are from our built and natural heritage. The tourism opportunities around them will create jobs for many people. All those targets reflect the tourism industry's potential for further growth. They also underline the potential for tourism as a key economic driver. As the tourism sector grows in a sustainable way, so do jobs, services and facilities.

The aim of PPS 16 is, first, to ensure that the planning system can play its part in achieving those targets and to manage the provision of sustainable, high-quality tourism developments in appropriate locations in the built and natural environment. This is not a free-for-all for tourism development in settlement areas and rural locations. It is a pathway for the provision of sustainable, high-quality tourism developments. As one of the planning policies in the statement outlines, we will be rigorous with regard to character, design and quality.

Secondly, the PPS also continues the thrust of existing planning policy to safeguard these assets from insensitive development so as to protect their intrinsic quality and attractiveness to tourists. Given that six of the 10 top visitor attractions are in our built and natural heritage, we would be cutting off our nose to spite our face if we were to permit insensitive development that would impact on their intrinsic quality and their attractiveness to tourists, and there could be job losses.

Our cities, towns and villages have a lot to offer to tourists. As well as transport links, accommodation, restaurants and shops, our settlements boast places of historical or cultural interest. They provide entertainment and other attractions. I have only to look to my right to my colleague from the Foyle constituency to be reminded of an example of how our cities, towns and villages — our settlement areas — create opportunities, not least in this year of the City of Culture. Tourism benefits from the synergy created between new developments and existing businesses and facilities, and urban areas offer the greatest potential for generating optimum levels of tourism spend. It is at the heart of the policy that tourism development should preferably revolve around settlements, whether they are defined as villages, hamlets, towns or cities, because, when such a synergy is created, tourism and tourism development opportunities can arise. That is why PPS 16 has a general presumption in favour of tourism development in settlements.

The policies in PPS 16 also recognise that tourists visit different areas for different reasons and to enjoy different experiences. That is the second big theme in the planning policy statement: how do we have sustainable, high-quality development in areas outside settlements in our rural locations. Not all forms of tourism development will be suited to an urban location. PPS 16, therefore, facilitates sustainable tourism development in the countryside, and the final document has moved on from the draft to provide particular flexibility and additional opportunities.

The focus of PPS 16 with respect to sustainable, high-quality development in the countryside will be to promote such development in appropriate locations and be sensitive to the rural context. It ensures that such development is sustainable in the broader planning policy context of the regional development strategy 2035 and PPS 21 on sustainable development in the countryside, and it seeks to not allow random, inappropriate or excessive development in the countryside.

PPS 16 makes provision in the countryside for tourist amenities by allowing development that requires a rural location — for example, an angling centre or a mountain bike trail. Similarly, it allows for tourist amenity proposals that need to be located close to an existing tourist attraction in the countryside, such as a visitor

centre associated with a particular site of historical or archaeological importance.

As regards proposals for tourist accommodation in the countryside, PPS 16 removes the criticised tourism needs test that currently applies. It was widely criticised in the consultation on draft PPS 16. It was felt that the needs test did not answer the requirements of potential sustainable and high-quality rural development opportunities. Replacement of the needs test with specific criteria tailored to different forms of tourism development will improve the transparency of policy and make it easier for developers to make sure that their proposals accord with planning policy. I encourage people to read through the various clauses in the document.

PPS 16 and the various expressions of policy therein provide for new hotels, guest houses and tourist hostels in the countryside where the proposal involves the redevelopment of an appropriate existing building. Executive Ministers raised some issues about self-catering accommodation because there was a concern that there would be not enough or too much self-catering accommodation development in rural areas. There are three types of opportunity whereby tourism development in the countryside will be considered appropriate. Such opportunities include self-catering in association with existing tourism accommodation such as a hotel or guest house or in association with a tourist amenity such as a golf course or where the self-catering proposal involves the restoration of an existing clachan. In all those cases, the policy requires the units to be retained for tourism use and not used for permanent residential accommodation, and that will obviously be conditioned in any planning permission that may be granted.

An element of flexibility from the draft PPS is the provision for a new or extended holiday or caravan park in the countryside subject to the proposal providing a high-quality and sustainable form of tourism development and being based on an overall design concept that demonstrates respect for the surrounding landscape, rural character and site context. Given that this is a move from the draft policy, it has been informed not only by DETI and the NITB but by the caravan organisations themselves.

Occasionally — I stress that it will be rare rather than necessarily occasionally — unique proposals for major tourism development proposals may be put forward. PPS 16 sets out an exceptional circumstances policy that allows for such a proposal, providing that it can demonstrate exceptional benefit on three levels: benefit to the regional tourism industry; sustainable benefit to the locality; and the requirement for a countryside location.

The tourism priorities for action plan states that it is important to value what the tourist values, and that is reflected in PPS 16. Unmanaged and unsustainable development is not in anyone's interest. If permitted, inappropriate development would prejudice the longer-term interests of the tourism industry.

Northern Ireland boasts great assets, such as the city walls, the Causeway and glens, the Mourne, the Fermanagh lakelands and numerous historical sites and blue flag beaches that are valued and visited by those of us fortunate enough to live here and by tourists from further afield. Those assets are vital in providing a high-quality and often unique visitor experience and serve to

underpin our tourism sector. PPS 16 continues the existing policy to safeguard tourism assets from inappropriate and harmful development in order to maintain their integrity and tourism value.

PPS 16 also includes general and design criteria applicable to all forms of tourism development to ensure the delivery of sustainable, safe and high-quality tourism schemes. Design is being increasingly embedded into the planning process and into development generally, whether on the tourism side or across other sectors of public spend. More and more design is being built into proposals. That is part of PPS 16, and the relevant Executive Ministers recently wrote to me signing off an urban design guide to ensure that, if we are to grant planning permissions, they should live up to better and higher design standards.

PPS 16 provides a planning policy framework that is right for Northern Ireland by striking a careful and sensitive balance between environmental concerns and requirements and the development of the tourism industry. It underpins the work that I am doing in other areas, such as the recently announced half a million pound regeneration fund for coastal communities and the £1 million dereliction fund that has been made available to tackle dereliction and spruce up a number of areas in Northern Ireland.

#### 10.45 am

Importantly, PPS 16 will contribute to our economic prosperity by safeguarding our rich and diverse tourism assets and by ensuring that future tourism development is sustainable and of high quality. I take the opportunity, as I did at the beginning of the statement, to put on record my thanks to DETI and the NITB, as well as DOE officials, for their invaluable input and contribution to the development of PPS 16. This version is better and more comprehensive and creates more opportunities in a proper manner for tourism development. Executive colleagues welcomed PPS 16 at a meeting in June, and I now commend it to the House.

**Ms Lo (The Chairperson of the Committee for the Environment):** I thank the Minister for his statement and welcome the new PPS 16. As the Minister said, it is very timely. In my experience, friends and family who visit Northern Ireland from crowded cities such as Hong Kong and other places always want to go out to the countryside. The Minister mentioned the much criticised tourism needs test that applies, particularly in rural areas. The Minister said that the replacement of the needs test by specific criteria tailored to different forms of tourism development will improve the transparency of policy. Will the Minister expand a bit more on the specific criteria in the new PPS 16?

**Mr Attwood:** I thank the Member, and I hope that more and more people come from crowded places to this slightly less crowded place. There are not that many crowds down in Fermanagh at the moment, certainly on the protest side.

In the planning policy statement, I refer Members to TSM 1 to TSM 7. They contain the three phases of the planning policy. TSM 1 is the presumption of sustainable and high-quality development in settlements. As I indicated, that covers everything from a village right through to a city. A settlement is defined as the line in the ground that defines a settlement limit, however you might describe that

settlement limit. Within that limit, there is a presumption in favour of development.

The second phase of the document is TSM 2, 3, 4, 5 and 6. They are the policies that deal with the specific issues of potential high-quality and sustainable development in rural locations. Previously, you had to prove a need in order to have a tourist amenity, such as self-catering in a potential hotel, guest house or tourist development, but now specific criteria are captured in TSM 2, 3, 4, 5 and 6. They cover the full range of potential high-quality and sustainable development in the rural location. I will give you one example. I refer Members to the document, where it is detailed what might happen for each and all potential tourist development in the rural landscape.

TSM 4 captures the exceptional benefit test. Although there may be proposals that do not qualify under any other planning guidelines, is there an exceptional benefit test whereby a proposal could happen, whereas otherwise it would fail the policy requirements? Those tests are threefold: it requires a countryside location; it is sustainable for the locality; and it brings exceptional benefit to regional tourism. In that way, the needs test is no longer in place. There is a criteria-based assessment and so on and so forth in respect of the other potential opportunities, be they self-catering, hotels, guest houses or tourism accommodation.

The third element of the planning policy statement is, first, in respect of design and, secondly, in respect of safeguarding tourism assets. The three streams converge in the planning policy, which, in a balanced and proper manner and in a sustainable and high-quality ambition, is the right approach for tourism going forward.

**Mr Anderson:** I thank the Minister for his statement. Minister, you referred to tourism development in the countryside. I will keep on the theme of rural tourism, to which the Committee Chair referred: to what extent do you see potential for those living on farms and wanting to diversify to put a tourism project in place and become more involved in tourism? How would that develop under the new PPS 16, especially in relation to the rural development programme?

**Mr Attwood:** I thank the Member for his question. When it comes to a rural development and tourist developments in general, three opportunities are presented to people. The first is what is now captured in the planning policy statement. The second is what is already captured in PPS 21, which governs rural location. The third is what is already captured by development plans. So, when it comes to shaping tourism opportunities for people who wish to develop in a rural location or who live in a rural location, there are now three opportunities. With PPS 21, you could, for example, convert a farm building into a potential tourist amenity. Under development plans — this is particularly relevant given the Fermanagh plan — areas and opportunities are identified in the local development plan for tourist opportunities to be developed. I would like to think that in 700 days, on the far side of the devolution of the development plan functions to local councils, they will take that forward more and more in the development function. The third opportunity is what we have here, identifying the criteria that will govern all potential rural opportunities.

I stress that the presumption in favour is in respect of settlement developments. Thereafter, there will be potential for favourable outcomes if they qualify under the criteria for various tourist development. When you capture all of that and given the opportunities therein, there are clear opportunities for those who want to locate tourist accommodation in a rural location or those who live in a rural location and want to develop tourist accommodation.

No planning policy is captured in this proposal for bed and breakfasts because we believe that opportunities already exist for them. I suggest that that is a clear opportunity for those who live on and may farm the land in going forward.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement, but the key to all of this is having a proper rural tourism strategy. There are good opportunities out there, but I want to pick on two key elements with respect to development in open countryside.

First, there are opportunities within the angling fraternity as regards promoting chalets and guest houses. You mentioned that DETI was involved in the process. We do not have a proper rural tourism strategy yet; we have not cracked that nut. What in this policy will deliver for those who want to get into groups such as the angling fraternity —

**Mr Deputy Speaker:** I remind the Member that there must be a question somewhere.

**Mr Boylan:** Yes, I will just finish this — and provide chalets and guest houses?

**Mr Attwood:** As I indicated in my statement, DETI is developing an overarching tourism strategy. When it comes to tourism generally or a rural tourism strategy in particular, that Department is taking forward that work. When that work matures and is completed, it will be complementary to the planning policy statement that has been issued and approved by the Executive. It lays down the planning considerations around rural tourist development. In my view, that will be an essential piece of the jigsaw in the overall rural tourism strategy for Northern Ireland. Therefore, it falls to DETI to take forward the tourist strategy. However, as I indicated in my answer to Mr Anderson, subject to what that overarching regional strategy may be, local councils might now be beginning to think about what dedicated local tourism strategies might look like on the far side of the reform of local government, when development plan functions transfer to local councils and, indeed, as was agreed by the Executive a number of months ago, when additional tourism functions fall to local councils in 2017.

On the point about angling, I refer the Member to TSM 5 in the policy, which deals with self-catering. That might be an option for the angling fraternity, which represents a huge tourism opportunity for this part of the world. You have only to look at Fermanagh to see that in very sharp relief as we speak. What does TSM 5 say about self-catering? It says that there can be self-catering development where there is existing tourist accommodation — if there is a hotel, for example, there might be an opportunity for self-catering development in and around it — or there can be self-catering associated with an amenity. Fishing is, if you like, an amenity, and I suggest that there will be clear opportunities for self-catering in association with an amenity, be that a golf course, a bike park or a river or lake that is used by the fishing community. Thirdly, there can be

self-catering in respect of an existing clachan. What is a clachan? It is a group of family-associated accommodation that may go back centuries or generations. So, there are self-catering opportunities in rural locations in each of those ways, without a free-for-all or an opening of the dam. They are policies that apply to the rural area, as opposed to the settlement. Those three examples of self-catering development, if it is of high quality and good design and is done in a sustainable way, are part of the answer to the Member's question.

**Mrs D Kelly:** I welcome the Minister's statement as yet another example, if it were needed, of the way in which he is driving change in his Department. The Minister mentioned the development plan and tourism development functions that will transfer under RPA. We all know about the issues with the interpretation of planning policy statements. Are there any plans in the Department to do some joint training across councils and the Planning Service to embed this planning policy statement?

**Mr Attwood:** I thank the Member for remarks and her question. Certainly, my sense in the Department was that there was a training capacity issue, be it on the interpretation of PPS 21 or on the management of renewables applications for the likes of wind turbines. That is why dedicated training was introduced into the planning regime in respect of PPS 21 and individual wind turbine applications. That was to ensure that people understood what the policy meant; that there was consistency in the application of policy between divisional planning offices; that planning decisions, whatever the outcome, were made in good time and were based on good evidence; and that there was no uncertainty or doubt. You see the evidence of that with PPS 21 and renewables applications, particularly for wind turbines.

Given that this will be a more flexible, criteria-based policy, it is accepted that there will be a requirement for some level of training in order to ensure that there is consistency and avoidance of doubt, that there is certainty and that the policy lives up to the ambition that has been set by myself and the Executive.

So there will be training around this to ensure that it works well and achieves the policy's ambition as we move forward. Part of that will be the training regime that will be put in place in the run down to local government reform.

#### 11.00 am

There is a group in my Department working with councils, the Northern Ireland Local Government Association, the National Association of Councillors and the Local Government Staff Commission. It has scoped out all of the training needs, especially around the planning function, in the run down to local government reform. Clearly, given that it will be part of the transfer of planning function and that it is a new policy, it is one element in which people, be they planning officers, councillors or council management, will all require training.

**Mr Elliott:** I thank the Minister for his statement. I wonder whether the planning policy will actually be a help or hindrance to future development. The jury will be out for a period of time. My question follows on from Ms Lo's question on the criteria-based assessments as opposed to the needs test. Will those criteria include issues of natural tourist attractions, such as the Mourne, the Causeway

Coast and, indeed, the Fermanagh lakeland? Would the Lough Erne golf resort, which we see in the spotlight now, actually get planning permission under that policy? There was not always a golf course or other attractions on that site.

**Mr Attwood:** I thank the Member. I believe that laying down criteria and then working that through operationally on decisions is a better standard against which to judge an application than the needs-based test. That can end up being more uncertain, arbitrary and subjective. It is better to have an objective criteria-based approach to making policy than the one that there was heretofore. The fact that in the consultation, which now goes back some time, there was such widespread criticism from across the range of stakeholders, especially those who have the leading responsibility for tourism development in the North, including NITB, and that they had drawn those conclusions is testament to the weakness of the needs-based approach and the strength of a criteria-based approach.

If you go through the TSMs that are now part of the policy, you see that, as I indicated, there are two elements that are very relevant to the Member's question. The first is TSM 8, which lays down the requirement to safeguard tourism assets. Therefore, whilst there will be a criteria-based policy for sustainable, high-quality rural development, it has to be measured against TSM 8, which safeguards tourism assets. So, while there are going to be opportunities for rural, sustainable, high-quality development, if it fails the test of safeguarding tourism assets, there might not be development in one area or another.

On the other hand, there is also going to be an exceptional benefit test. So, while something may not fulfil the other standards that are outlined in the planning policy, if there is an exceptional benefit to regional tourism, it is sustainable locally and it requires a countryside location, it might be granted. In that tension, we can work through what the right answer is. We safeguard tourism assets, but there will be rare occasions where exceptional benefit might see some developments. I am not saying whether or not those new standards would apply to the Lough Erne golf resort, save to say that, in terms of the use of that piece of land for tourism opportunity, a hotel of a matching standard would, of course, have a high standard. My judgement is that, under previous policy or under this future policy, it gets over the line.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire.

I welcome the amendments to draft PPS 16, which was universally accepted as a disaster because it would have devastated the rural tourism economy. As Tom Elliott said, the Lough Erne golf resort would not have been developed under that policy. I have not yet seen the policy as a whole, but the previous policy stated that the strategy encourages development to be sited where there is a choice of transport, with the location not dependent predominantly on access by car. How has that changed under the new policy, given that very many of Fermanagh's most visited tourist attractions, such as the Marble Arch caves, do not have public transport?

**Mr Attwood:** I thank the Member for his question. He is right to identify — I do not know whether I would share the use of the word "disaster" — that a lot of good work has been done since the consultation between, as I indicated, the Department of Enterprise, Trade and Investment and

NITB. Some of those conversations were between me and senior staff, including the chief executive of NITB. This has been fashioned in a way that certainly creates more opportunity while not endangering Fermanagh's heritage, including the caves.

I recommend that the Member looks at the policy as a whole, because it captures in TSM 1 the presumption of developing in a settlement. Why would you have presumption of development in a settlement? That was indicated in part of the Member's question. There you have synergy, with restaurants, parks, hotels and other accommodation, transport infrastructure, and provision for car parking and public transport. Where all that is gathered in a settlement area, whatever its scale and dimension, and whatever you might call it, there should be a presumption of development, because therein is a synergy, with those tourism assets being developed.

The point of the reconfigured policy, as opposed to the draft policy, is to recognise that there are major assets such as the caves. Last night, I saw some sights that I had not seen before in Fermanagh, such as Castle Coole, which goes back 230 years. That house is viewed as the best of that vintage on the island of Ireland. Anybody who goes to look at it would draw that conclusion. Mr Flanagan has, no doubt, been there before, but I had not. I recommend that everyone should go and have a look at it. It is a wonderful building in a wonderful location, and it was a wonderful night. Congratulations to Invest Northern Ireland and the Tourist Board for putting that event together. Even in the two or three hours that I was there, the point of the exercise was well proven, because some of the most high-profile media figures that you see on your screens from day to day were sitting in the marquee, eating the food and having conversations about how wonderful this part of the world is. So whatever the toing and froing might be at the G8, and whatever our parties' views about what should or should not be the outcome, it was a wonderful event.

The purpose of all the other supporting TSMs, beyond that which sees development in settlement areas, is to say that if there is an opportunity around Marble Hill; sorry, around Marble caves in Fermanagh — I mixed up Marble Hill strand and Marble Arch caves. If that is high quality, is sustainable and is self-catering around an existing amenity, it may fulfil the policy test, which may drive tourism development and, therefore, drive tourism jobs and tourism spend, and that would, ultimately, benefit everybody.

**Mrs McKevitt:** I welcome the Minister's statement today. Tourism is a fast-growing industry, particularly given the potential for job creation right across our region, with farmers and those already in the tourism business getting a good wake-up call, and I think that the statement falls well into that. Has the Minister any plans to bring to a conclusion any outstanding planning applications currently in the system that fall into this planning policy, particularly given that, in the south Down area, we are in the process of building the likes of bridges, which will be new tourist attractions?

**Mr Attwood:** I thank the Member for her question. As she will be aware, planning permission for Narrow Water bridge was issued quite a number of months ago, and there now seems to be a much more positive atmosphere around all that. It is my understanding that, in the past

number of days or the next number of days, an application in respect of the proposed ferry link between Greencastle and Carlingford has been or will be received; that has not come in to the system, or it has just come in. Clearly, there will be issues around that that will have to be interrogated.

A number of other individual applications regarding potential tourist opportunities in and around the Mourne are being dealt with at local offices. These are very challenging applications given their location, but it may be that, around this policy, there will be a pathway to work through those and come out with a decision, whatever that decision might be.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Minister, PPS 16 is out today and the same old restrictions are still there. I did not see any reference to them in your statement. I am talking about areas of special scientific interest, areas of outstanding natural beauty, conservation zones, and so on, which have been very restrictive to planning applications over the years in rural areas, especially in my area of the glens. Am I right in thinking that, for example, under exceptional circumstances, this new PPS 16 has the wherewithal to override these present restrictions? Otherwise, we will come back to the same old arguments that we have had for years to try to get planning permission, especially for the farming community and the non-farming rural dweller.

**Mr Attwood:** I think that the Member is reading the mood of the House wrong and he is reading the content of the document wrong. The reason why the policy has been brought forward is to reconfigure the approach to sustainable, high-quality development in the rural location; the presumption in favour of developing in settlement areas; and criteria-based assessment regarding a range of categories of tourist opportunities in rural areas.

Now, if it ends up that we have the same outcome as we did under the previous needs-based test, the Member might be justified in drawing that conclusion. However, to draw that conclusion about "the same old restrictions", to borrow his language, about this policy, which has been shaped in that environment and reworked since the consultation in order to acknowledge that there might be a need for more opportunities that are appropriate, sustainable and high quality in the rural location, I do not think is right. I do not think that you can draw the conclusion, based on a document that has just been issued, that it is going to have the same old restrictions when the policy content is about trying to rework old restrictions and having the right constraints and the right opportunities going forward.

Part of the assessment is clearly going to be the wonder and scale of our natural heritage, expressed through the designations that the Member referred to, but I hope that the Member is not suggesting that a consequence of this policy will be that every area of outstanding natural beauty will fall foul of a proposal and that there is going to be an exceptional benefit to build whatever tourist amenity might be in the middle of such a designation. That is not going to be a consequence of this policy. Exceptional benefit, which is what the Member referred to, will be restricted to regional tourism benefit that is sustainable locally and that requires a countryside location. That will be a very measured and discerning policy rather than one that sees

the building of tourist amenities in every designated area in the North. That is not the intention of the policy.

I believe the policy will deal with appropriate, sustainable, high-quality development in the rural location, the presumption of development in settlement areas and criteria-based development in other areas. I think that will create more than enough opportunities if it is interpreted and applied properly to ensure that the worst fears articulated by the Member, who may not have fully read the document, will not be realised.

**Mr Durkan:** I thank the Minister for his statement. We very much welcome the publication of PPS 16. It has been a long time coming; I think it got lost somewhere between PPS 14 and PPS 21. Will the Minister tell us whether the new policy will ensure that more weight is given to an application's additionality to tourism development in an area as well as more flexibility? Will more flexibility be afforded around areas such as roads? I am thinking particularly of the only caravan park in Derry, which is on the outskirts of the city, and which has been unable to get planning permission, despite being of a very high standard, and now more than ever is in very high demand.

**11.15 am**

**Mr Attwood:** I understand why the Member says that the policy was lost. However, it has now been found and published. Hopefully, that is the standard going forward. Yes, arising from the consultation, and because of the conversation with stakeholders, there will be elements of further flexibility. That is captured in the various elements of the planning policy.

Remember that the planning authority, be it the Environment Minister when it comes to article 31s or the senior planning management team in a divisional planning office when it comes to local applications, is the executive authority; ultimately, it has to make the judgement call. Whatever the advice of a consultee might be, be it Roads Service or another, including internal consultees in the Environment Agency, as long as the executive authority is making a decision based on good evidence and proper process, it can make a decision contrary to that advice. I have made it very clear to the planning management that it is the executive authority. Roads Service or the Environment Agency is not the executive authority; they are there to give best advice. The planning authority does not have to be railroaded into taking best advice. On the far side of that, it can make a decision contrary to the advice that it is given, where there are good grounds, process and evidence so to do.

I am very aware of the particular case that the Member is referring to. It remains under consideration, including by me.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. What does the Minister deem a unique proposal under the exceptional circumstances policy? I am thinking of an application in my county of Derry. I do not know whether the Minister is aware of a planning application to build a life-size Noah's ark as part of a tourism project. Maybe the Minister would deem that to be a unique proposal.

**Mr Attwood:** I was not aware of that particular proposal, but I would like to hear about it. I am surprised that there has not been some publicity about it, but I am sure that, after today, there will be, for good or ill.



As I indicated, there are three criteria in the exceptional benefit test. It has to have exceptional benefit to regional tourism, so it is not a locality-based proposal. To go back to Mrs McKeivitt's question, a tourist lodge development in the foothills of the Mourne might be viewed as having local benefit. However, it might not be viewed as having regional benefit, depending on how you interpret it. It has to have exceptional benefit to regional tourism; it has to be in a sustainable locality; and it requires a countryside location. On the far side of that, an assessment can be made of the merits of any application, including the particular one that you refer to. However, it will be a rare case. This is not going to be a mechanism that will approve many things that might otherwise have been refused. Due to the exceptional benefit and the high threshold that is suggested by that, it will be a smaller number of rare cases rather than many. I wait to see whether, under current planning policy, PPS 21, this planning policy statement or the exceptional benefit test, that particular proposal crosses over the line.

**Mrs Overend:** I thank the Minister for his statement. He said that the policy provides for new hotels, guest houses and tourist hostels in the countryside where the proposal involves the redevelopment of an appropriate existing building. Will the Minister clarify whether that is the only case for development, and, therefore, that he will oppose any greenfield sites?

**Mr Attwood:** I thank the Member. If you go through TSM 2, 3, 4, 5 and 6, you will see that there are quite a number of opportunities for rural development, be it hotels, self-catering, guest houses or tourist hostels. As I said, PPS 16 does not refer to bed-and-breakfast opportunities because we think that there is sufficient policy cover in other areas of planning law and policy to capture those.

As for hotels, guest houses and tourist hostels specifically, I refer the Member to TSM 3 of the new planning policy statement, which suggests that such proposals should replace existing accommodation or be newbuilds on the periphery of settlements. TSM 3 states that for hotels, guest houses and tourist hostels generally. For the exceptional benefit test, something may be of such scale and importance that it moves beyond TSM 3 and is covered by TSM 4.

## Steps 2 Success

**Dr Farry (The Minister for Employment and Learning):** I wish to make a statement about the procurement and introduction of the new Steps 2 Success programme that has been developed by my Department. Steps 2 Success will replace the main adult return-to-work programme known as Steps to Work. This is scheduled to take place in June 2014.

The current programme, Steps to Work, has been in operation since 2008 and has served Northern Ireland well. That is demonstrated by its performance results, which have been independently assessed and verified. Although it is a strong programme, it is clear that the new challenges posed by a range of factors, including benefit changes as a result of welfare reform and the need to secure improved performance, mean that a next-generation programme is essential.

I am confident that, in developing a replacement programme, we are building on the strengths of Steps to Work. The contracts for delivering Steps to Work will end in 2014, and, with the ongoing economic uncertainty, it is important that we have a new employment programme in place that addresses the needs of those struggling to gain, or indeed regain, a foot on the employment ladder.

Steps 2 Success has been designed to improve the performance of my Department's employment programmes for unemployed and economically inactive benefit customers. The significant rise in unemployment, high levels of economic inactivity and the introduction of universal credit have established the need for a step change in the delivery of employment services.

Although our current and forthcoming employment programmes are open to a range of clients, the persistent challenge of long-term unemployment in this society should, in particular, compel us to have the most effective and efficient set of interventions possible. In particular, there is a need to focus even more on positive outcomes and sustained employment for programme participants to ensure value for money and to make sure that no one is left behind.

The key aim of Steps 2 Success is to help eligible benefit recipients to find and sustain work, thereby supporting the needs of employers and the economy. Our policy objectives will be to increase the number of participants finding and sustaining employment; support those most in need, regardless of employment barriers; maximise the flexibility in the programme approach; and build a programme that can adapt to changes in the economy and the needs of clients.

Although we would have developed a successor programme to Steps to Work in any event, in developing the Steps 2 Success programme, my officials have endeavoured to ensure that it is future-proofed and designed to meet the requirements of the impending universal credit conditionality groups. Universal credit — the single working-age credit that will replace a number of social security benefits — should come into effect across Northern Ireland from April 2014. Nevertheless, Steps 2 Success will stand on its own feet, independent of decisions that are made on welfare reform.

Steps 2 Success is also part of a wider assistance package being developed across the Department's

employment service. Alongside the new programme, we have developed a more work-focused tailored service for all our customers. This service improvement is being rolled out across the jobs and benefits office/jobcentre network to enhance and strengthen the help available to all customers who are seeking work. Jobseekers will continue to receive initial help and support from an employment service adviser. These advisers will deliver an enhanced front line service using diagnostic tools and support to help customers to find and sustain work at the earliest opportunity.

There is a wide portfolio of provision that front line staff can avail themselves of to support clients at the earliest stage in getting back to work.

To inform the development of Steps 2 Success, I asked my Department to commission a study, which was carried out by the Centre for Economic and Social Inclusion. Its remit was to consider the feasibility of an outcome-based employment programme. Inclusion entered into discussions with a wide range of stakeholders, such as employer representatives, our current delivery partners and representatives of the voluntary and community sector, to inform the development of a potential delivery model for a new employment programme for Northern Ireland. Inclusion also looked at models for employment programmes in other places.

The feasibility study that was produced was then used as the basis for the initial high-level design for Steps 2 Success, which was issued for public consultation in July 2012. Alongside the consultation exercise, officials arranged information sessions for all interested parties. A total of 175 people representing 83 organisations attended the sessions, and participants raised key issues around the proposed programme design, objectives and eligibility. In particular, there was significant interest in proposals for the contract area and duration of the programme, supply chain management and funding.

The consultation exercise has been invaluable to the Department. We received over 80 written responses to the consultation document with a range of useful suggestions on how we might improve the programme design and delivery. Significant time and effort went into making sure that the development of Steps 2 Success took account of the views and opinions of key stakeholders, many of whom have experience of delivering support to unemployed people, including those with health or disability issues that impact on their employability.

There has also been productive engagement with the Committee for Employment and Learning over the past year. The Committee was briefed on a number of occasions on our emerging thinking and has provided some invaluable feedback. That engagement provided the Department with a lot of information to consider, and, as may be expected, there was a variation in the number of members agreeing and disagreeing with the proposals. Crucially, however, there was broad support for the majority of the design features outlined in the consultation document: the objectives of the programme; the flexibility of the approach; the non-specified hours of attendance; the proposed programme length; assessment of the supply chain as part of procurement; the need for providers to demonstrate support for smaller organisations; the code of conduct for lead contractors; and higher payments for higher performance. There was less support for the

following initial proposals: automatic entry for recipients of employment and support allowance and incapacity benefit; treating Northern Ireland as a single contract area; capping the contract duration to three years; the random allocation of customers to providers; and the 40:60 split between attachment fees and outcome-related funding.

The comments and opinions were carefully considered and assessed, and a number have influenced the amended design features of the programme. Adjustments were made to a number of design features: the entry points for employment and support allowance; three contract areas instead of one; the contract length; the removal of the random allocation of customers to a lead contractor; and the amount to be paid for attachment and outcome funding.

I am confident that these positive changes to the final design of Steps 2 Success indicate my Department's commitment to listen and respond to the views of others. I am equally confident that we are building a programme that will be responsive to the needs of unemployed people in Northern Ireland. This programme will also provide a challenging but exciting prospect for our delivery partners.

The design of Steps 2 Success is now complete. The programme will primarily be available to people receiving jobseeker's allowance (JSA) and those in the employment and support allowance work-related activity group. JSA claimants aged between 18 and 24 will be mandated to Steps 2 Success if they have failed to find work after nine months on benefit. Those aged 25 and over will be mandated after 12 months on benefit. Over-25s who have concerns about their ability or opportunities to secure employment without more expert help can request referral to Steps 2 Success when they have been in receipt of jobseeker's allowance for six months or more. When customers face significant barriers that cannot be easily addressed by the employment service, they may be referred to Steps 2 Success early. This early entry may include customers with more specialised needs, such as drug or alcohol dependency, people with a disability, ex-prisoners or those who are homeless.

### 11.30 am

Steps 2 Success will be accessible to people who are still receiving incapacity benefit. Those receiving income support as a lone parent or carer will be able to volunteer to join Steps 2 Success if they wish to get more help to find work. Customers in the ESA support group who are deemed to be unable to work can join Steps 2 Success voluntarily at any time if they wish to seek help to find work. Anyone not receiving one of those benefits can continue to receive help and advice from the employment service but will not enter Steps 2 Success. Once referred to Steps 2 Success, participants will remain with the contracted provider for up to 12 months, while those with significant barriers or health-related problems may remain for up to 18 months to receive more intensive help to prepare for and find work.

Flexibility is at the heart of the Steps 2 Success programme design, with the objective of ensuring that contracted providers do whatever works best for each individual to ensure sustained employment. In essence, contracted providers will work with participants to jointly identify their employability needs and determine the best way to meet those needs. That flexibility will be

underpinned by a service guarantee tailored to each of the customer groups. The service guarantee will ensure that all participants receive high-quality, personalised support. Each participant will receive a copy of the service guarantee and will know what level of service they can at least expect to receive while participating in the programme. The number of hours of attendance and work-focused activity required of participants while on Steps 2 Success will be determined by the provider in agreement with each customer and depending on their needs. The service guarantee for each conditionality group will include a minimum level of participation to ensure that no one is left without regular contact from the provider or a subcontracted delivery organisation.

Contract management will play an important role in ensuring that an effective service is provided to Steps 2 Success participants. My Department will ensure that contracted providers deliver a service suited to the needs of their participants.

Steps 2 Success will be delivered in three contract areas, with one contracted provider responsible for each area. The model provides the opportunity to develop local initiatives and to engage a local supply chain in the delivery of the programme. In each contract area, the contracted provider will be required to deliver provision and provide access for all participants across the full geographical area and to develop a supply chain that can meet the needs of all participants. The initial contract period will run for four years of referrals, with an option to extend for a further two-year period, subject to satisfactory performance and achievement of targets.

Funding to contracted providers for the delivery of Steps 2 Success will consist of three main elements: an attachment fee, payable when a customer is accepted on to the programme by the provider; job entry, payable when a Steps 2 Success participant finds full-time employment, which is defined as 16 hours or more; and sustained employment, payable at intervals from three to 12 months after a client has sustained employment. In recognition of the Department's responsibility to help people acquire the skills and experience to find work, we will also pay providers an additional payment if a participant finds work while gaining a relevant accredited qualification through Steps 2 Success. Higher funding levels will be payable for harder-to-help clients with more significant barriers to work, such as those who are early entrants and require more specialist support.

Funding for Steps 2 Success will be based on a 50:50 split between attachment fees and outcome-related payments at baseline performance level. That level is set by my Department on the basis of previous programmes, such as Steps to Work and Pathways to Work. The outcome-related funding element will be paid in stages, commencing with job entry and at subsequent intervals of sustainment for up to 12 months. Higher funding levels will also be available where a contracted provider exceeds performance targets and helps significantly more participants to find and sustain employment. Steps 2 Success participants who remain unemployed after completing their time on the programme will receive ongoing help and support from an employment service adviser for up to 26 weeks. If they still fail to find work, they will then be referred back to Steps 2 Success for a further 12 months.

The Steps 2 Success procurement will involve a two-stage tendering process. The first stage will commence in early July and will consist of a prequalification questionnaire, which will be an examination of the suitability and capability of potential suppliers to perform the contract. That process will ask questions regarding statutory requirements, technical or professional experience and financial standing. Successful organisations at stage 1 will then be shortlisted to progress to stage 2. That will be the full invitation to tender and will commence in October 2013.

Information sessions to provide an overview of the final design of Steps 2 Success and the detail required for those who wish to tender for the contracts have been arranged. The sessions will take place on 20 and 24 June 2013, and a high level of interest in attending them has already been indicated.

I cannot emphasise it strongly enough that the development of this bespoke programme for Northern Ireland is a prime example of the advantage of having a devolved Administration. We have been able to design the programme to meet the specific needs of people who require help to find work, while considering the viability and capability of local partners who may well play a key role in the delivery of Steps 2 Success. Although the Work Programme in Great Britain has been in the spotlight for a number of reasons, we have been able to monitor and learn from its performance. That insight has helped us to avoid some of the pitfalls that have become more apparent.

It is important that Members understand that Steps 2 Success is a very different proposition to the GB Work Programme. Not only have we learned from their mistakes, we have also set our own path. Key differences include the undertaking of a detailed and comprehensive consultation process to build on the model from the feasibility study and to design a model that is appropriate for Northern Ireland; the introduction of a service guarantee setting minimum standards; payment for job entry; keeping the attachment fee for the full duration of the programme, which means not moving to a purely outcome-related funding model; a simpler model, with fewer categories of clients and simpler administrative processes; and additional funding for providers when a participant finds work and achieves a recognised qualification via Steps 2 Success.

Mr Deputy Speaker, I thank you for the opportunity to update the House. I look forward to updating Members further on the outcome of the Steps 2 Success procurement exercise and the ongoing achievements of the programme following its introduction next year.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I thank the Minister for his statement. He has outlined the policy objectives for the programme and indicated that its intent is to increase the number of participants finding and sustaining employment. Has he baselined the policy objectives, and does he have any defined targets to measure against? Also, what are the real long-term prospects for those on the programme? Will they simply be given short-term contracts and then, after a few months, find themselves right back where they started?

**Dr Farry:** I thank the Chair for his questions. I will also put on record again the excellent engagement that we have had with the Committee on the issue. We look forward to

continuing that as the process unfolds. The Member has asked two particular questions. The first one concerns what sort of targets we have. It is important that we have targets and that we recognise that the programme is about improved performance. At present, we work on the baseline performance of Steps to Work of around 29%. We would like to see revised targets for the new programme of 32% of people moving into sustained employment. If contractors are able to exceed that 32% target, they will become eligible for higher-level payments, so that is an incentive to move beyond that.

A lot of people wonder why the percentages are in the 20s and 30s: that is the norm for such programmes. I want to see our programme in Northern Ireland not only exceeding our performance hitherto but exceeding what is happening in Great Britain. I would like to think that, given that we have learned lessons from what they have tried to undertake there, we will be better placed to do that.

The second point that the Chair makes is about what happens in the longer term. Outcomes are based on sustained employment. We measure that in terms of someone being in work for at least 13 weeks after they leave the Steps 2 Success programme. Again, there is monitoring beyond that as well. It is important that we recognise that there is always a churn in the job market in any event, but this programme is not designed to simply shift people around and massage figures. It is really based on getting people into work and enabling them to keep the work that they gain through the help that we will, hopefully, provide through the programme.

**Mr Hilditch:** I thank the Minister for his lengthy and detailed statement, which I welcome. As he said, much of it has been discussed with the Committee. There is some concern over the four-year duration. There was a possibility that there might be six-monthly or, perhaps, quarterly reviews of the contracts. Has that been decided, and have the account managers been appointed?

**Dr Farry:** I thank the Member for his questions. I stress that this is a major investment in public support and for the organisations that win the primary contracts. The rationale for the contract duration is to make this an attractive proposition to ensure that we get bids. There will be a necessary investment from organisations to begin with, and it will take time for companies to move through a break-even point before it becomes a successful proposition for them.

Some may be concerned that organisations could well make a profit or surplus on the back of the programme, but there is a very strong rationale for engagement with the private sector. There will be aspects of what we are trying to achieve as a Government that will, at times, be better delivered by the private sector, the community and voluntary sector or by elements of the social economy. It is important that we try to ensure that we drive as much efficiency and effectiveness into the scheme as we can, because it is fundamentally about achieving jobs outcomes for the people of Northern Ireland. The deliberations around the contract duration have been framed by those considerations.

**Ms McGahan:** I thank the Minister for his statement and for the intervention that is being made under Steps 2 Success. What evaluation process will he put in place to ensure that employers do not exploit the scheme for cheap

labour and it is not used to massage the unemployment figures?

**Dr Farry:** I thank the Member for her question. The scheme will be carefully monitored and scrutinised, and I draw the Member's attention in particular to the guarantees that we intend to put in place.

It is worth referring to what happens in Great Britain, where they talk about what is, in essence, a black box. People referred to the work programme there are, essentially, out of sight and out of mind. There is no real relationship with the jobcentres in Britain, and the providers are left to do with the participants what they will. The ethos there is strongly about simply getting results at any cost. We are taking a different approach here. It could be called a "grey box" approach: we want to give flexibility, but equally there are important accountability issues that I have been very mindful about from day one. First, we have to ensure that the providers are not picking off the easier cases and ignoring those who face larger barriers to engagement in the workplace. If anything, we are trying to incentivise the schemes to deal with those who face real barriers. Equally, we want to ensure that we provide genuine opportunities for people and that it is not simply a means by which people are exploited.

On the Member's wider point, I am very clear that I am not interested in simply shifting people around categories and trying to massage figures. The figures are what they are. The ultimate judgement by which we will have to assess the success of what we are doing in the labour market is the economic participation figure. I have already talked about what we are doing around economic inactivity, but I am not interested in taking people off inactivity into unemployment or vice versa. We have to get people into real jobs.

**Mr P Ramsey:** I thank the Minister for his statement, and I wish his Department well with Steps 2 Success. Will he acknowledge the contribution of the strategy board and the skills directorate of the One Plan in the north-west? Furthermore, will there be a special measure in the north-west area that fits into the priorities of the One Plan for a subregional bespoke skills and training programme?

**Dr Farry:** I thank Mr Ramsey for his question, which, although linked to the subject, is slightly tangential. Regardless, I congratulate him on his plug for the north-west.

I can give the Member some good news in that we have agreed to allocate a member of our skills division to work directly with stakeholders in the north-west. A senior official from my Department will work with the skills directorate of the One Plan to better draw together and focus on skills issues in the north-west. There will be a very clear linkage between what is happening on the wider skilling issues and what is happening with employability issues and creating opportunities for people. So, hopefully, through that intervention, we will be able to provide a more effective service in the north-west. I appreciate that there are acute issues there that need to be addressed.

**11.45 am**

**Mr Lyttle:** I welcome the statement from the Minister this morning. Having visited the city last week with the Employment and Learning Committee and seen some excellent work happening there, I welcome his confirmation that a DEL skills official will be attached to

the One Plan in Derry. I also look forward to welcoming the Minister to East Belfast tomorrow. How important has the public consultation and engagement with wider stakeholders been in arriving at this particular model?

**Dr Farry:** I thank the Member for his questions. We try to get around as best we can.

At times, there is a lot of cynicism around public consultations, with people thinking that they are just a paper exercise that Departments go through and that they have their mind made up in advance. People think that taking on board the views of stakeholders is a chore for us and that, in practice, we simply ignore them and just do what we originally intended. Generally speaking, that is not the case in government, but this is a very good and specific example where that absolutely was not the case. The consultation and the wider engagement with stakeholders has had a significant impact on the shaping and design of this. I am very conscious that we must be careful not to design things in a bubble and that we test our initial thoughts to make sure that they are achievable and workable in the particular circumstances that we have in Northern Ireland. I like to think that the wider community will see the impact on the representations that have been made, particularly those of the key stakeholders who have taken the time to engage with us.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I thank the Minister for his statement. He will hardly be astonished to know that I remain to be convinced about the overall benefits of the scheme. In yet another lengthy statement, some key information has been omitted, particularly around the financial aspects of the scheme.

Will the Minister outline the payments that will be made to the agencies to help clients find employment? Will he outline why he has chosen to make lucrative payments to middlemen or middlewomen and not to those involved in either creating the job or finding the job? That money will be taken out of the local economy and sucked into administration through further unnecessary outsourcing and privatisation.

**Dr Farry:** I thank the Member for his questions. He has been consistent in his approach to this over the past number of months, at the very least.

I stress that, ultimately, this is about increased help for people, particularly those who have been out of work for a longer time, to find sustained employment. That is good for them as individuals, and it is good for the economy in Northern Ireland. If we have that as our starting base — I hope that there is consensus around that in the House — we then have to ask ourselves what the most effective means are of achieving that. I do not approach this with any major ideological position, and I ask the Member to do the same. We should be pragmatic about this.

We have to work on the basis of solid evidence on the nature of interventions that will be of assistance in finding people work. At times, that means bringing in the private sector. Such businesses and organisations can be more effective than the public sector in delivering particular outcomes. Sometimes, yes, they may well make a profit on the back of that, but that is part and parcel of the incentives involved in bringing in their expertise and technique.

In response to your colleague, I made it clear that we were not giving the private sector a blank cheque and that there would be a minimum service level agreement with them all as guarantees for those who are on the schemes. We want to ensure that everyone is addressed and worked with.

This is not, ultimately, a cost-cutting exercise. I know that the Member has that concern, which he alluded to in the question. This is not about our finding a means of trimming the amount of money that we spend on helping people back into work. We are working on the assumption of a similar spend to that on Steps to Work. We are seeking to use the money that we spend on Steps to Work in a different way and, through a different programme design, to get a better outcome and increase the number of people who move into sustained employment.

If anything, this could end up costing us more. If that is the case, I would welcome that, because it would be a feature of the fact that we would be paying out additional payments to those organisations because they have exceeded their targets for moving people into employment. If we are in that territory, we will be doing very well. The benefits to the wider economy — people being in work, paying taxes into the system and spending their resources elsewhere in the economy — will be there for us all to see and benefit from.

**Mr Douglas:** I welcome the Minister's statement. Many of the participants in these programmes will have little or no qualifications. Once they gain recognised qualifications, what guidance will they be given about a route to further education?

**Dr Farry:** I thank the Member for his question. He, like others, well recognises the context in which we are operating in Northern Ireland. At one end of the spectrum, we are doing very well in turning people out from higher education. We have a higher participation rate than virtually every other region in the UK. At the same time, we have a bigger profile of people with low or no qualifications. They are often the people who need the most help to move into the job market. Opportunities for people with low or no qualifications will diminish as the nature of work changes, so there is a real requirement to drive up qualifications on a whole range of levels.

One of the very particular design features of this system is flexibility, and that is to encourage the new providers and their subcontractors to work with people on an individualised basis around their particular needs. There is also an inbuilt incentive for people to gain qualifications, which is different from the work programme in Great Britain and is, therefore, another advantage of devolution. We are responding to Northern Ireland's very particular skills landscape and trying to give people individual, tailored help.

**Mr McAleer:** Will the Minister explain why he plans to implement this scheme as opposed to extending the Step Ahead 50+ scheme, which would pay a decent wage for a decent job or a proper wage for a proper job?

**Dr Farry:** I thank the Member for his question. Step Ahead 50+ is a very limited and narrow intervention for, as the title suggests, those who are over 50. It is anticipated that that will run until to March 2015, the duration of the current Budget period. In the wider context, this scheme is a replacement for Steps to Work as the main all-age return-to-work programme. We have to replace Steps to Work because it is coming to the end of its natural lifespan.

I made the point that we would be exploring this irrespective of whether welfare reform was happening or not. There are particular issues in relation to Steps to Work that we need to review and improve. While it has been an effective scheme in some respects, it is overly cumbersome in that 10 contract areas is too many and there is not sufficient flexibility for the current providers to address the very particular client needs that they come across. Hopefully, through a revised programme, we will deliver a more effective service for clients of all ages across Northern Ireland.

**Mrs Overend:** I thank the Minister for his statement. Northern Ireland's unemployment figures are very worrying, with our claimant count the second highest of all 12 UK regions. I wish the Minister well in his endeavours to bring those figures down. The Minister advises that those who have been on benefits for nine months and 12 months will be mandated to take part in the programme. What will happen if an individual does not wish to take part in the programme? Will there be sanctions, and, if so, what are they?

**Dr Farry:** I thank the Member for reminding the House of the context in which we are operating. We have a considerable challenge with respect to unemployment. The House will be aware that things have begun to change and that there are some very tentative signs that the unemployment situation is changing, but it is very early days, and we cannot afford to be complacent. If anything, we need to redouble our efforts, particularly if the economy is in an upswing, because, in that context, we can reap the rewards of a programme such as this.

She also mentioned people being mandated and asked what happens if they do not agree to that. At present, under Steps to Work, people are also mandated. It is important that people understand that this is not a new concept but one that has been accepted in Northern Ireland for the bulk of the past decade, if not longer. There is nothing new in it.

If someone does not go on the programmes, it is then to be considered what sanctions are deployed. It is worth reassuring Members that sanctions are deployed in a very small minority of cases. The number of cases of people not going on the programmes when they are suggested is very few and far between. Indeed, in the past, people have volunteered to go on the programmes rather than having to be mandated, because they understand the value of work and do not want to be on benefits. That situation will be even more acute when universal credit comes through. After that, there is still discretion on whether sanctions are deployed, and the individual circumstances will sometimes be taken into consideration. At present, sanctions through Steps to Work will be used in the smallest minority of cases — we are talking about a range of 1% to 2% of claimants. That should put it into perspective and give Members a guide.

**Mr B McCrea:** Unaccustomed as I am to speaking twelfth in this Assembly, can I ask the Minister whether it is true that approximately 70% of the people on the programme will not find work after it and that those who do will find low-paid unskilled work? What role does the programme play in the Minister's attempt to try to reduce long-term economic inactivity?

**Dr Farry:** I thank the Member for his questions. It is worthwhile explaining the nature of the statistics. At

present, 29% of people move from Steps to Work into sustained employment, which is 13 weeks of employment, and we hope to increase that to a revised baseline of 32%. On the surface, that suggests that 70% of people therefore are not successful through the programme and do not move into work. However, some of those people will, in turn, in part through their experience on Steps to Work or Steps 2 Success in the future, find their way into work in due course. Others will have the opportunity to go back to, in the first case, the employment service advisers and, subsequently, into the employment programme after six months to receive further assistance. It is important that we recognise that there is a constant churn in our economy with people moving through those different programmes. There is not an automatic read-across that says that, by definition, 70% of people are therefore not availing themselves of opportunities.

He is right to highlight that this is part of a wider suite of programmes. It is focused on people who are unemployed and is also there to pick up on people who are coming through the various inactivity categories. The House will be aware that we are developing an economic inactivity strategy in conjunction with the Department of Enterprise, Trade and Investment and other Departments. The baseline analysis was published in April this year, and discussions are moving well with the different Departments. We hope to issue a strategy for public consultation in autumn this year.

**Mr Newton:** I welcome the Minister's statement — all seven pages of it. It requires some scrutiny. I also welcome the fact that he has built in incentives; that is a good thing. The statement says:

*"Higher funding levels will also be available where a contracted provider exceeds performance targets and helps significantly more participants to find ... employment."*

The target is 32%, and that leaves 68%. That seems a low target for such an ambitious scheme. Can I ask him to define what the term "significantly" means in the context of this incentive?

#### 12.00 noon

**Dr Farry:** I thank the Member for his questions and for his general welcome for the scheme. People may find that the targets are low, but I reiterate that they are very much in line with the targets of work programmes elsewhere, if not, indeed, higher and more challenging. It is useful to refer to the early stages of the work programme in Great Britain, where the current achievement rates for sustainable employment are much lower than those that we are talking about for Northern Ireland. So, we are seeking to do better than elsewhere.

There will be people who do not avail themselves directly of the opportunity of Steps 2 Success. Some of those people may find work of their own accord indirectly after they exit Steps to Work or Steps 2 Success, or they can go back into the scheme.

The Member referred to enhanced payments. We are essentially talking about people moving beyond the 32% target. In such cases, those people would be eligible for a considerably higher payment level. That target refers essentially to the current 29% starting point, so it is

not a massive increase. However, the amount of effort that it takes to increase these figures by 1% or 2% is considerable. This is a situation where there is a lot of stickability in the statistics, and that has been found in other jurisdictions. I would like to think that the way that we have designed the programme will put the new providers in the best place possible to try to exceed those targets.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Although I welcome the intervention under Steps 2 Success, I have some concerns about the incentive-based approach as outlined in the statement. That is because a provider will be under pressure to get a participant a job, even though it may not be of a meaningful standard. Will the Minister tell me what he is doing to ensure that the standard and quality of work that is on offer reflects meaningful employment that is not menial?

**Dr Farry:** I thank the Member for his question. I fully understand his and some of his colleagues' reservations and that it is easy to be cynical about these types of exercises. I want to try to reassure him again by stressing that we have sought to learn the lessons from the work programme in Great Britain. This is not the work programme from Great Britain being extended to Northern Ireland; this is a bespoke Northern Ireland employment programme. We are doing things differently to Great Britain. I highlight that we will have a draft service guarantee for the people who will be going through Steps 2 Success. We are happy to share the current draft of that guarantee with members of the Committee and, indeed, with Members of the House, to reassure them of the level of engagement that is involved.

In common with what I said to the Member's colleagues, this is not about employers picking off the easier cases and letting people simply sit neglected in the system; there will be requirements for regular engagement with advisers, as well as encouragement and incentives to address those people who have real barriers. It will also ensure that the opportunities that will be provided to clients will be real and meaningful.

**Mr Deputy Speaker:** Before calling the next Member, I ask Members to please check their mobile phones. At least one is interfering with the system. I am sure that we would not want Hansard destroyed, would we?

**Ms Lo:** Thank you, Mr Deputy Speaker. I welcome the Minister's statement, and I commend him very much for the very thorough process that he undertook to review and revise the programme. I believe that it is much improved.

The Minister mentioned that there will be three contract areas instead of one. Where are those areas geographically, and what is his rationale for dividing them into three?

**Dr Farry:** I thank the Member for her comments and questions. At one stage, we were minded to go for Northern Ireland as a single contract area, with two or three providers potentially in competition with each other. That would have been more consistent with the situation in Great Britain, where there are about 10 contract areas, each with two providers covering a large geographical area. Equally, we could not stay with the current 10 areas, which was an inefficient system with too much money being spent on management and administration rather than on front line delivery. There was concern about moving to a single contract area, so on balance, we felt

that moving to three contract areas with one provider in each would be a better localised solution. We will perhaps not achieve the same economies of scale that can be found elsewhere in the United Kingdom, but we will provide a better service that will be more linked in with the local supply chain and that will take account of the nature of our current jobs and benefits offices.

The three contract areas will also reflect district council boundaries. I am happy to share the detailed breakdown with Members. In essence, there will be a region around greater Belfast that will include the council areas of Belfast, North Down, Ards, Castlereagh and Lisburn. There will be a northern region that will include the council areas of Strabane, Derry, Limavady, Coleraine, Moyle, Ballymoney, Ballymena, Larne, Carrickfergus, Newtownabbey and Antrim. There will be a southern region for the council areas of Fermanagh, Omagh, Magherafelt, Cookstown, Dungannon, Craigavon, Armagh, Banbridge, Newry and Mourne, and Down. Hopefully, that gives Members a sense of what we are talking about for the three new areas.

## Executive Committee Business

### Budget (No. 2) Bill: Further Consideration Stage

**Mr Deputy Speaker:** I call on the Minister of Finance and Personnel to move the Further Consideration Stage of the Budget (No. 2) Bill.

*Moved. — [Mr Wilson (The Minister of Finance and Personnel).]*

**Mr Deputy Speaker:** As no amendments have been tabled, there is no opportunity to discuss the Budget (No. 2) Bill at this stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

### Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013

**Mr Deputy Speaker:** The next two items of business are motions to approve statutory rules that deal with matters relating to the disclosure of pupil and higher education student information. There will be separate debates on each of the statutory rules. However, the Minister and Members will be allowed some latitude to address the broad policy issues that are common to both sets of regulations during the first debate. I hope that the House finds this useful.

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That the Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013 be affirmed.*

Mr Deputy Speaker, as you pointed out, the second motion is very similar to the first one. Members of the Assembly, the two sets of regulations that come under your consideration today are part of a wider programme of work to utilise existing government information for the production of population and social statistics. The Statistics and Registration Service Act 2007 created a non-ministerial Department, the Statistics Board, to promote and safeguard the production and publication of official statistics that serve the public good. The Act extends to Northern Ireland, and these regulations are made under powers contained in that Act.

The first set of regulations relate to pupil information from the annual school census, which has been identified as an important source of data that could be used to improve population and social statistics.

The school census is owned by the Department of Education. Regulations have been made in Westminster and Cardiff to allow the equivalent GB Departments to pass such data to the UK Statistics Authority. The regulations before Members are required to allow the Department of Education to pass that information through the Statistics Authority to the Northern Ireland Statistics and Research Agency (NISRA).

The information to be shared is simple demographic data. Although the regulations will allow access to personal information, it is forbidden to publish any information that could identify an individual, and the data must be held under conditions of strict security. The regulations were considered by the Committee for Finance and Personnel and the Committee for Education, and no objections were raised. Therefore, I recommend that the Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013 be affirmed.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his short opening remarks. As he outlined, the regulations will enable the Department of Education to disclose selected demographic information from pupil records to the Statistics Authority for use by NISRA in developing population statistics.

Given the cross-departmental relevance of the legislation, Committee members agreed to seek comment from the



Committee for Education before coming to a final view. The Committee noted the significance of robust statistics, especially relating to the Barnett formula, and queried whether the proposals were anticipated to lead to any change in what has occurred in any previous collection of data. A NISRA official confirmed that no changes were anticipated.

The Committee also noted correspondence from the Committee for Education, which indicated that it was content with the policy proposals contained in the SL1 and that the proposed rule be made. After consideration, the Committee confirmed that it had no comment to make on the policy proposals at that stage.

The Committee, at its meeting on 5 June, formally considered the statutory rule and the accompanying report from the Assembly's Examiner of Statutory Rules. After technical scrutiny, the Examiner raised no issues, and the Committee therefore agreed to recommend that the Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013 be affirmed by the Assembly. Therefore, on behalf of the Finance and Personnel Committee, I support the motion.

**Mr Wilson:** This is a fairly easy one for me today. I thank both Committees for their work on the regulations. They are helpful regulations, in so far as they will improve the information available between censuses on population movement and change etc. That is useful for informing lots of government decisions. I thank the Chairmen and Committees for their scrutiny, and I am pleased that the officials were able to satisfy them that the information will be secure and used only for the purpose that has been set out, which is to give us a better understanding of changes in population and social conditions. Therefore, I commend the motion to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That the Statistics and Registration Service Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013 be affirmed.*

## **Statistics and Registration Service Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013**

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move:

*That the Statistics and Registration Service Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013 be affirmed.*

This is a bit like a repeat of a BBC programme.

I am asking the Assembly to affirm the Statistics and Registration Service Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013.

**12.15 pm**

This is the same as what we will be doing with pupil information, except that these regulations cover information that is available on students who attend higher education colleges. The regulations' purpose is to give us important data on population changes and social statistics. They have already been made in Westminster to allow the equivalent GB Departments to pass on the data to the Statistics Board, and the regulations simply enable the Department for Employment and Learning to pass on information to the Statistics Board and the Northern Ireland Statistics and Research Agency.

As with the first set of regulations, the information shared is simply demographic data. Although the regulations will allow access to personal information, I assure the Assembly that it is forbidden to publish any information that could identify an individual. The data will be held under the strictest security conditions, which have been discussed with the Committee for Finance and Personnel. The regulations have been discussed by that Committee and, in this case, the Committee for Employment and Learning, and no objections were received. Therefore, I recommend that the regulations be affirmed by the Assembly.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. As the Minister outlined, this is pretty straightforward. The Committee sought comment from the Committee for Employment and Learning this time, as opposed to the Committee for Education, and the Committee for Employment and Learning indicated that it was content with the policy proposals contained in the SL1 and that the proposed rule be made. After consideration, the Committee for Finance and Personnel confirmed that it had no comment to make on the policy proposals at that stage.

The Committee formally considered the statutory rule at its meeting on 5 June, together with the accompanying report from the Assembly's Examiner of Statutory Rules. He raised no issues by way of technical scrutiny. The Committee therefore agreed to recommend that the regulations be affirmed by the Assembly. On behalf of the Committee, I support the motion.

**Mr Wilson:** Without further ado — since there is no debate on the motion and since Members seem to be satisfied that it is a useful exchange of information — I ask the

Assembly to support the motion that the regulations be affirmed.

*Question put and agreed to.*

*Resolved:*

*That the Statistics and Registration Service Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013 be affirmed.*

## **Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013: Assembly Consent Motion**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I beg to move

*That this Assembly consents to the Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013 in the form of the draft laid before the UK Parliament on 8 May 2013.*

Go raibh maith agat, a LeasCheann Comhairle. The Public Bodies (Abolition of the Registrar of Public Lending Right) Order was laid in draft form at Westminster on 8 May 2013 by the Department for Culture, Media and Sport.

The Public Bodies Act 2011 allows British Ministers to abolish, merge or transfer functions of public bodies listed in the appropriate schedules. The proposal to abolish this body was included in the schedule to that Act. A consent motion is required because section 9 of the Public Bodies Act requires, where appropriate, the consent of the devolved legislatures before an order can be made under the Act.

As part of the reform programme, the British Government are seeking our consent to abolish the Registrar of Public Lending Right and to transfer that function to the British Library. The Registrar of Public Lending Right is a small body that makes payments to authors and illustrates when their books are borrowed from public libraries. It is a low profile but very important function that underpins book lending by our library service. This is essentially an administrative change that will have no effect on the operation of the public lending right scheme in the North. Even though this is a devolved matter, we do not make a financial contribution to the scheme, and that will continue to be the case. I commend the motion to the House.

**Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure):** As already indicated, the Assembly agreed a legislative consent motion on 7 March 2011 in relation to the Public Bodies Bill. Section 9 of the now Public Bodies Act 2011 requires, where appropriate, the consent of the devolved Administrations before an order can be made under the Act. Hence, the consent motion that is before us today.

At its meeting on Thursday 23 May 2013, the Committee considered correspondence from the Minister advising of her intention to seek the consent of the Assembly to a draft order being made under the Act. As outlined, the draft order relates to the abolition of the Registrar of the Public Lending Right and the transfer of its functions to the British Library.

The Minister has advised that the draft order proposes an administrative change aimed at creating savings and will not result in any change in service received either by authors or by the library service here. At its meeting on 23 May, the Committee indicated that it was content for the Minister to proceed with laying the statutory instrument. At the Committee's meeting on 6 June 2013, members formally considered the statutory instrument and agreed to it. That is reflected in the minutes of that meeting. On behalf of the Culture, Arts and Leisure Committee, I support the motion.

**Ms Ní Chuilín:** Go raibh maith agat arís. I thank the Chair of the Culture, Arts and Leisure Committee for her response on behalf of the Committee. As the Chair outlined, and as outlined in my correspondence and accepted by the Committee, this is essentially an administrative change that will have no effect on the operation of our public lending right scheme. Therefore, I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly consents to the Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013 in the form of the draft laid before the UK Parliament on 8 May 2013.*

**Mr Deputy Speaker:** The Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

*The sitting was suspended at 12.23 pm.*

*On resuming (Mr Principal Deputy Speaker [Mr Mitchel McLaughlin] in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

### Regional Development

**Mr Principal Deputy Speaker:** As Mr Gregory Campbell is not in his place, I call Mr Adrian McQuillan.

#### North West 200

2. **Mr McQuillan** asked the Minister for Regional Development how many times he met the organisers of the North West 200 before this year's event to ensure that the road closures order would give greater flexibility to ensure that racing was not disrupted. (AQO 4318/11-15)

**Mr Kennedy (The Minister for Regional Development):** At the outset of Question Time, as it is the first opportunity that I have had, I place on record on behalf of myself, my party and, I hope, the whole House a tribute to the iconic images that Northern Ireland has benefited from as a result of the G8 summit. I think that the whole House will share that sentiment, particularly in light of the very impressive contribution made by Hannah Nelson yesterday at the Waterfront Hall in the presence of President Obama.

After the washout of the 2011 North West 200 race, I met representatives of the 2 and 4 Wheel Motorsport Steering Group Ltd on 15 June and 7 September 2011. Subsequent to that, my officials met the group on two more occasions, the last being on 26 November 2012, when the group agreed to provide more details concerning aspects of its proposals, which included a broad range of issues. At my request, I recently again met representatives of the 2 and 4 Wheel Motorsport Steering Group Ltd and the North West 200 on 28 May 2013 to discuss the cancellation of races at this year's event.

Looking ahead, I have advised Executive colleagues that I will seek their agreement to introduce a single-purpose Bill to amend existing legislation to provide for contingency practice or race days in the event of bad weather. To enable those arrangements to apply to the 2014 racing season, I will seek Executive agreement to progress the Bill by accelerated passage. I trust I will have the support of all in the House in doing so.

**Mr McQuillan:** I thank the Minister for his answer, which I certainly welcome. Does he agree that the main issue with the road closure order is the need to vary it so that racing can happen on whatever day has the right sort of weather?

**Mr Kennedy:** I thank the Member for his encouraging remarks. I believe that there will be widespread approval for the measure that I intend to propose, after further consultation with the organisers of the race. I will seek Executive approval for policy clearance to draft a Bill by the end of June 2013 and publish it as part of the public consultation; to have my officials brief the Regional Development Committee in early July; and to carry out public consultation during the summer in order to return to the Executive in September to seek approval to introduce the Bill and have it progressed by accelerated passage. My

officials are continuing discussions with representatives of the sport to confirm the most appropriate policy approach to be taken.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. Minister, I know a group of bikers who have come for the past three years and seen only one day's racing. Have you given any consideration to the groups of bikers who come maybe from Europe and certainly from England and abroad? Have you considered perhaps having some racing on Sundays?

**Mr Kennedy:** The promoters have not raised that issue with me at this point. Interestingly, however, the legislation is silent on Sunday racing. It is up to the promoters of road races to decide which days they want a road closure order to cover. It is also the promoters' responsibility to ensure that there is effective notification of proposed road closures to those most likely to be affected by them.

The Isle of Man has its own road racing legislation, but there is no corresponding provision in the Northern Ireland order, and it is not proposed to mirror that arrangement in the Northern Ireland legislation.

**Mr Dallat:** I thank the Minister for his response. I am sure he realises that we are all revved up about this issue. The Minister appreciates that this is not about a one-day race or the one day that it takes place; it is about an event that brings tourists into not just the triangle but across Northern Ireland and, indeed, Donegal for a week or more. Can the Minister assure us that there will be an opportunity for the local community to be engaged in whatever changes are needed to ensure that the race has flexibility and that the race organisers continue to enjoy the support of the people who live there and who, after all, are the most important people?

**Mr Kennedy:** I am grateful to the Member for accelerating that question to me. It is crucial that the event retains the huge public support that it already has, particularly from residents and inhabitants of the area. The full potential of the north-west is, perhaps, still completely unrealised. That is why I hope that, as part of the discussions, we can look at the issue of support funding for an international event that brings so many tourists to the north-west, particularly, to enjoy the sights and sounds of the north-west, particularly. That combination will be crucial in moving forward and in ensuring that everyone has a contribution to make.

## Mourne Coastal Route

3. **Mr Rogers** asked the Minister for Regional Development what discussions his Department has had with the Department of Enterprise, Trade and Investment regarding the Mourne coastal route signage issue, which advises visitors that the route is unsuitable for coaches. (AQO 4319/11-15)

**Mr Kennedy:** I am fully aware of the specific issues surrounding the signing of the route for coaches. Recently, I met and listened to concerns from representatives of the Kilkeel Development Association and, indeed, my party colleague in the area, Councillor Harold McKee, and others, regarding the advisory wording included on some of the signs which indicate parts of routes that would be unsuitable for large coaches. I have put in place arrangements to have that wording removed from signs as soon as possible. I

have agreed to that change as I believe it is better for the Tourist Board to provide supporting literature that will allow coach operators to plan their routes through the Mournes in the full knowledge that stretches of routes may be difficult to negotiate in a large coach. The production of literature showing routes for coaches is certainly not uncommon in other parts of the United Kingdom and is used for driving trails in the Yorkshire Dales and Dartmoor.

**Mr Rogers:** I thank the Minister for that, and I welcome the response. Minister, will you give this accelerated passage for the tourist market for this summer? Will the signs be updated ASAP?

**Mr Kennedy:** I am grateful to the Member for his positive response. I have instructed officials to make arrangements to have the wording removed from signs as soon as possible. I remain hopeful that the work will be completed in the next week or two, prior to the commencement of the summer holidays.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his reply thus far, and I too welcome the wording being removed. On the wider issue of the roads being unsuitable for coaches, will the Minister instruct his Department to look at the roads? We are talking about one of the nicest coastal routes in Ireland. It would be a pity if large parts of it were unsuitable for coaches, as we are bringing in more coaches to the area.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Of course, part of the beauty of the Mournes is their unspoilt nature. It would not do for me to provide a motorway on some of those locations. The Member will know, of course, that rural roads receive ongoing structural and maintenance repair, and that remains the case for roads in the area of the Mournes. However, I accept the point that he makes. I think the Mournes is one of the key areas in the overall tourism product that Northern Ireland has much to shout about, and so I hope that the contribution that I am making to that with regard to signage is a positive one.

**Mr Hussey:** I am sure the Minister is aware that some of the traffic that comes into this part of the world comes from the Republic. Perhaps, at this stage, Minister, you would take the opportunity to reaffirm your commitment to the "Welcome to Northern Ireland" signs.

**Mr Kennedy:** I am very grateful to the Member for his supplementary question. It is certainly not a plant, because I do not have an answer for it.

The "Welcome to Northern Ireland" signs express a welcome to Northern Ireland. How pleased we have been in recent days to welcome international visitors and important politicians, their entourages and their colleagues. The feedback on the G8 summit and on Northern Ireland has, I think, been very good. Iconic images going out all over the world can only be a positive thing for Northern Ireland tourism and branding Northern Ireland as a potential destination. I think that "Welcome to Northern Ireland" signs enhance that.

## DRD: Together: Building a United Community

4. **Mr Dickson** asked the Minister for Regional Development for an assessment of his Department's responsibilities under the Together: Building a United Community strategy. (AQO 4320/11-15)

**Mr Kennedy:** Transport is central to a more inclusive, shared and integrated society. I am pleased that the Together: Building a United Community strategy recognises the importance of the work being carried out across my Department to the development and maintenance of good relations. In particular, I welcome the acknowledgement of the contribution of mobility and connectivity to the creation of a more united and prosperous community. The work I have taken forward on making public transport more accessible and designing transport networks such as the rapid transit scheme will bring communities together and ensure access to key services and facilities. However, there is much more to be done to build on the framework and vision established by the strategy. I am, therefore, pleased that I have secured the agreement of my Executive colleagues to a detailed discussion of the strategy at our meeting on 27 June 2013.

**Mr Dickson:** Minister, you referred to the iconic scenes of Northern Ireland in the past few hours. Sadly, some of those scenes have been marred by illegal and unlawful flags and other emblems flying from lamp posts and properties that are under your control and responsibility. In building the united community strategy, what actions will you take to attempt to have those flags removed?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Of course, he will know that my Department's policy, which has been approved by previous Ministers, does not endorse or support the unauthorised use of departmental property for any purpose. That includes the erection of roadside shrines to terrorists, for instance. However, the Department must also take into account the safety of those who are asked to undertake removal and the risk of escalating the problem. Unauthorised memorials on the properties of the Department's arm's-length bodies are matters for the boards of those organisations.

With regard to the removal of flags from lamp posts, my Department has signed up to the joint protocol on the display of flags in public areas. It is generally not perceived to be the lead agency under that protocol. PSNI, OFMDFM, the Housing Executive and DSD are better placed to assume that lead role in arranging for the removal of flags and emblems through their contact with community groups, local elected representatives and other relevant contacts. My Department's main role under the protocol, when called upon by the lead agency, is to provide the access equipment and the resources to remove unwanted flags when agreement has been reached that they should be taken down and the local community is unable to gain access to them easily. The onus is, of course, on working with local communities, as the Member will understand.

**Mr McDevitt:** I welcome the Minister's assertion that sustainable transport does indeed play a significant role in bringing communities together. Given that it is the beginning of Bike Week, can he tell us specifically what steps he hopes to take in the next few months to make cycling one of the ways in which we will be able to bring people together in this region?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I suspect that he, rather shamelessly, wants me to mention him for having won the MLA bike race for the third time in four years. He will correct me if I am wrong. In fact, he is good at that.

I commend Bike Week to Members. I thank those who participated in the G8 trophy event this morning and hope that everybody is sufficiently recovered. Cycling represents an opportunity for people to find benefits, either for health reasons or in helping the environment, and to show that it is possible to use alternative modes of transport. As Minister, I have attempted to do that, and I will continue to roll forward with it as we seek to improve facilities for bike users and cyclists on the roads in our towns and local areas.

**2.15 pm**

**Mr Principal Deputy Speaker:** I suspect that, if there had been a stretching championship, the Member might have won that as well.

I call Mr Danny Kinahan. Let us stick to the subject.

**Mr Kinahan:** Thank you very much. I will stick to the subject. I am glad that the Minister has secured discussion on DRD's role in Together: Building a United Community. Will he detail whether there are any new issues for DRD in the strategy?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Indeed, the strategy reflects the importance of my existing transport and planning policies and programmes in the promotion of good relations. There is a commitment to ensure that future funding is directed on the basis of the themes in the strategy. If this were to result in the allocation of additional resources to the Department, I would be happy to consider new or additional transport initiatives.

## Road Building

5. **Mr Ross** asked the Minister for Regional Development how much his Department has spent on road building in the last 12 months. (AQO 4321/11-15)

**Mr Kennedy:** In the past 12 months, my Department has spent in the region of £62 million on major strategic road improvements and £10 million on local transport and safety measures, of which £4.7 million was on minor network development schemes and projects for Belfast on the Move. Within those figures, over £4 million has been spent on the A2 Shore Road widening scheme at Greenisland. That scheme started in March 2013 and is proceeding very well, with minimal disruption to the travelling public. It remains on target for completion in June 2015.

My Department received specific funding for the A5 dual carriageway project. Following the recent ruling on the scheme, I wrote to the Finance Minister on 9 May 2013 to declare a reduced budget requirement for the 2013-14 year. In my view, it is essential that we quickly redeploy that reduced requirement to provide support to the construction sector and the local economy at this most difficult time. I consider expenditure on roads to be a specific example of activity that improves vital infrastructure and facilitates short- and long-term economic growth, while providing much-needed local employment.

**Mr Ross:** The Minister, in his answer, alluded to the fact that the money for the A5 will not be used for that project and that he wants to redeploy that money into other projects that have been suggested by him and his party colleagues. How many of the alternatives projects that

have been suggested are procurement-ready and have had vesting completed?

**Mr Kennedy:** I am grateful to the Member. I have to correct his interpretation of my remarks. I have made it clear and continue to make it clear that the A5 scheme has been delayed; it has not been abandoned. The Member will know that it remains an Executive priority. It is important that not all our eggs are in one basket any more. I inherited that situation when I became roads Minister. To deal with that very issue and looking at financial allocations, there are schemes that I want to bring forward. They might currently be described as procurement-ready but not shovel-ready. They include the A6 Randalstown to Castledawson scheme; the Magherafelt bypass; the A55; and the A26 Glarryford scheme along the Frosses Road. Those are in the next wave of strategic schemes to be carried out. I hope that the Member and his party, at Executive level particularly, will give me the necessary assurance and the finance to bring forward other schemes so that this Executive do not have to hand back money to the Treasury.

**Mrs Overend:** Can the Minister detail when it will be possible to commence the alternative schemes that he mentioned ahead of the A5?

**Mr Kennedy:** I am grateful to the Member for her supplementary question, and I have no doubt that she will continue her interest in not only the A6 scheme but the Magherafelt bypass scheme. In general, Members will know that it takes around a year to procure a major road scheme, and, as I have outlined, there are several schemes in the strategic road improvement programme that have been advanced through their statutory procedures with a view to proceeding to procurement, subject to approval of the final business case. As I have said, they include the A6 Randalstown to Castledawson dual carriageway, the A31 Magherafelt bypass, and the A55 Knock Road widening in Belfast. In addition, proposals to provide dual carriageway on the A26 between Glarryford and Drones Road were examined by a public inquiry last autumn. Subject to the outcome of the public inquiries, it could be possible to commence construction on these schemes late next year. It is important that other schemes that may be in a position to be progressed ahead of the A5 are given full consideration by the Executive.

**Mrs McKeivitt:** Is the Minister concerned about the deterioration in road maintenance? Has there been an increase in insurance liability claims in the past 12 months?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. The impact of the winter conditions in successive years has led to a concern about the roads that we are responsible for improving and maintaining. Aside from building new roads, that is an important consideration that I have. It is estimated that approximately £122 million a year needs to be spent on structural maintenance to maintain the network that we have. That is a challenge, and I can tell you that, in the initial allocations from the Finance Minister, I was not in receipt of anything near that amount. However, I am very hopeful that, through the June monitoring process and the fact that I have offered up capital that might have been spent on the A5 scheme, my Department will benefit from an additional allocation to help maintain our roads. As I travel around Northern Ireland, I see the impact of the winter conditions and the overall condition; it concerns me, and rightly so. Therefore, as roads Minister, I want to make the

strongest arguments to bring into my Department moneys and resources that we can use to deal with those defects.

## Road Resurfacing: Newtownabbey Borough Council Area

6. **Ms P Bradley** asked the Minister for Regional Development to outline the carriageway resurfacing schemes that Roads Service has scheduled in the Newtownabbey Borough Council area during the current financial year. (AQO 4322/11-15)

**Mr Kennedy:** My Department has one resurfacing scheme currently scheduled in the Newtownabbey Borough Council area during the remainder of the current financial year. It is anticipated that this scheme at Shore Road, Whiteabbey, will be completed during the summer months. A further resurfacing scheme within the 2013-14 programme on the Old Carrick Road from Doagh Road to Carntall Road has already been completed. My Department also completed some 7.4 lane kilometres of resurfacing in the Newtownabbey Borough Council area during the 2012-13 financial year. That included four major schemes at Beverley Road, Antrim Road, Monkstown Avenue and Station Road. In total, approximately £3.5 million was spent on structural maintenance in 2012-13, including carriageway and footway resurfacing and patching.

For this financial year, my Department has been allocated £62 million against a currently assessed requirement of £130 million. As I said, to address the shortfall, my Department has made a bid in the June monitoring round for additional funding for structural maintenance. I hope that the Member will support the bid, which will allow me to enhance the road surfacing programmes across all council areas.

**Ms P Bradley:** I thank the Minister for his very comprehensive answer. Over recent months, utility companies have done a lot of work in the Glengormley and Cloughfern area, and they have left footpaths and roads in a rather undesirable condition. Does the Minister have any plans to review the criteria for the reinstatement of roads after utility companies have finished digging up the roads and footpaths?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. She raises an important issue in which I take an interest because I am concerned when I hear reports of utility companies disrupting surfaces or not leaving them in an appropriate condition. There are agreements with the utility companies, including times by which they are expected to complete work to a satisfactory standard, following inspection from Roads Service officials, who check that the quality of the reinstatement is as it should be. If the Member has set examples, I would be happy to hear from her about them so that we can carry out further investigations.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister have any plans for resurfacing work on the Castlefin Road in Castlederg?

**Mr Kennedy:** I thank the Member for her question. She may be shocked by this, but I did not anticipate that Castlefin Road, Castlederg, would feature at Question Time. I am happy to provide the Member with an update as quickly as possible.

## Translink: Accounts

7. **Mr Spratt** asked the Minister for Regional Development when the 2012-13 accounts for Translink will be laid before the Assembly. (AQO 4323/11-15)

**Mr Kennedy:** As in previous years, the annual accounts of Translink for 2012-13 will be laid before the Assembly before the summer recess. At this stage, we aim to have them laid by 4 July. We lay the annual report and accounts in the Assembly in accordance with the guidance on the procedures for presenting and laying the combined annual report and accounts, which is that the accounts should be laid as soon as possible after the auditor has signed the accounts — normally two weeks later. The 2011-12 Translink accounts were laid before the Assembly on 6 July 2012, and the 2010-11 accounts were laid on 29 June 2011.

**Mr Spratt:** I thank the Minister for his answer. Is he concerned that Translink is giving press briefings to individual hand-picked journalists before it lays its accounts before the Assembly and, I assume, the Department? Will the Minister give an undertaking that Translink and his departmental officials will answer questions about the 2011-12 accounts? It appears that Translink has considerable reserves. It states that there is £50 million “other” reserves, but there is no explanation of what those are.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I know that he and the Committee have recently been exercised on the issue. I will meet Translink senior executives later in the week and will raise the Member’s initial concern with them.

Part of the debate has been played out in Committee and in the local press. It is important to say that, as Minister, I am absolutely certain that there is no cosy relationship between me or the Department and Translink. Translink is put through its paces in an appropriate manner. That we are able at least to be civilised to each other after such things is a useful template for everybody to copy.

Let me also say that Translink has had a very successful past 12 months, with over 1.5 million more fare-paying journeys on bus and train services. More and more people are using the railways and, last year, passenger journeys reached almost 11.5 million. Rail fares in Northern Ireland have not increased in real terms since 2005 and bus fares here have fallen in real terms in that period. That is in sharp contrast to Great Britain and the Republic of Ireland.

We are carrying forward profits earned in 2012-13 to further invest in the business and keep fares as low as possible. We are working hard, and I think that some recognition should be given to Translink for the performance that it has been able to confirm at this point

2.30 pm

## Culture, Arts and Leisure

### Football Clubs: Antrim Borough Council Area

1. **Mr Clarke** asked the Minister of Culture, Arts and Leisure how much has been invested in football clubs in the Antrim Borough Council area in the last five years. (AQO 4332/11-15)

**Ms Ni Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for his question. As the Member will know, Sport NI has primary responsibility for the distribution of funding for sport. Over the past five financial years, Sport NI has provided almost £230,000 of Exchequer funding to football clubs in the Antrim Borough Council area. Furthermore, I made a bid to the Executive last year for additional funding towards a programme aimed at promoting equality and tackling poverty and social exclusion through sport. In 2012-13, the IFA received £500,000 through that programme, and that has benefited football clubs across the North, including those in the Antrim area, through a range of projects and initiatives. In the Member’s constituency of South Antrim, Crumlin United Football Club received almost £230,000 for a 3G pitch and floodlights, and the Greenisland Football Club received over £4,000 to purchase football equipment.

**Mr Clarke:** I thank the Minister for her answer and welcome the money that has been invested. Will the Minister use her good offices to see what more money can be delivered to the south Antrim area given the underinvestment there and the strong provision needed for football?

**Ms Ni Chuilín:** I will certainly take that on board. The Sport Matters monitoring group, which I think Antrim Borough Council is represented on, looks at the Sport Matters strategy. It looks at the lack of provision and how collectively, even through other Departments, we can try to bridge some of the gaps.

I agree that many areas, including, as I am sure the Member would argue, his council area, have a greater need for facilities to increase sports provision. Given our budgetary constraints, we are looking at other ways of working better together to provide much-needed facilities in those areas. I am happy to hear any suggestions that the Member may have. I am really keen to try to get as many people as possible involved in sport.

**Mr Kinahan:** I thank the Minister for her answer and her Department for the funding for Crumlin and Greenisland. Is there any possibility of funds coming from the Office of the First Minister and deputy First Minister’s (OFMDFM) Together: Building a United Community initiative? That could help the Minister to expand not only football but all the other sports that would get people to share things.

**Ms Ni Chuilín:** I was delighted that sport was mentioned as an area in which more provision could be made. In response to the question, where we can work collectively to try to bridge the gaps, that is better. The statement had a greater focus on access for people with disabilities, and I think that the Member would agree with that. I am not excluding that, and there is certainly more room for improvement.

I am happy to look at every opportunity that is available to me now and at potential opportunities, even from a cross-departmental point of view, to try to get better facilities and better participation in sport.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Will the Minister tell me what live funding opportunities are available to soccer clubs across the North?

**Ms Ni Chuilín:** The Member will be aware that Sport NI has no live funding applications or programmes that soccer clubs can apply to. It is at the early stage in the

process of developing two new capital programmes to support community and club performance around sporting facilities' needs. I anticipate that some of the proposals will be brought forward over the coming months. It is important that we look for new opportunities, particularly as we approach the next comprehensive spending review (CSR) period, when we will all be looking at how we can enhance sport provision across the board.

**Mr Lyttle:** Why have the Sport NI stadia safety, community capital and places for sport funding streams been closed to amateur football clubs since December 2010?

**Ms Ní Chuilín:** The Member will appreciate that another Minister took that decision. I have received concerns from a number of people involved, and not exclusively from those in soccer but in sport across the board. Bear in mind that we are where we are, and that is not a good place to be. As I said to other Members, we are actively looking at what we can do, and not just across each Department. We are also looking at the potential for new programmes to be brought forward. As I said, those programmes are in the very early stage of development. Sport NI has identified that as a gap. I look forward to seeing what the proposals are, sharing them with the Committee and then with the rest of the Members.

### Marching Bands: Uniforms

2. **Mr Moutray** asked the Minister of Culture, Arts and Leisure, in light of the recent report by RMS McClure Watters into the 'Socio-economic Impact of the Traditional Protestant Parading Sector in Northern Ireland' and as £55 million of economic and social benefits are generated each year by the sector, would she fund new uniforms for some of the 660 marching bands, as this would also boost the local textiles industry. (AQO 4333/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. I am aware of the research findings in the report that was funded by the Department for Social Development (DSD). I believe that the social impact of marching bands and other expressions of cultural interests are just as important as any economic impacts. My Department, through the Arts Council and the Ulster-Scots Agency, offers funding to marching bands from all communities to maintain and develop the level of music-making in the sector. My Department is primarily concerned with the funding of musical instruments and tuition, to ensure that artistic expression can be celebrated and embraced. It does not fund the provision of uniforms.

**Mr Moutray:** I thank the Minister for her response. Given the decline in the textile industry in Northern Ireland, and the positive impact that marching bands have for good in many areas here, will the Minister at least consider working with the Department of Enterprise, Trade and Investment (DETI) and DSD to explore further the possibilities that I raised?

**Ms Ní Chuilín:** I am happy to meet any Minister at any time about any subject. All Ministers are charged with meeting the public interest test. There is clearly an interest here in providing musical instruments and tuition, because those foster skill and talent. Uniforms for bands is always seen as a private thing that clubs bring forward, but I am happy to meet any Minister to see what, if anything, can be advanced.

**Ms Boyle:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What funding is available to marching bands and what penalties, if any, will bands that participate in antisocial and sectarian behaviour face?

**Ms Ní Chuilín:** The funding for marching bands is fairly significant. Between that provided by the Arts Council, the Department of Culture, Arts and Leisure (DCAL) and the Ulster-Scots Agency, the funding has been significant. For example, in the past three years, the Arts Council has provided over £600,000 for musical instruments. As well as that, over £26,000 has come from the Awards for All small grants programme, and over £650,000 for musical tuition was provided through the Ulster-Scots Agency.

The bands who apply to the Arts Council and Ulster-Scots Agency know that any involvement in antisocial or sectarian behaviour is part of the ongoing monitoring process, and if evidence of such involvement is found, both agencies will deal with it robustly.

**Mr Dallat:** Given yesterday's events, and the lecture by the US President, has the Minister any ideas or incentives by which she could encourage marching bands from both traditions to march together?

**Ms Ní Chuilín:** I have to say, in short, no, I do not have any ideas. It would certainly be an interesting collaboration. I know that some bands, particularly in small rural areas, are part of the community, regardless of how we feel about the bands, their music or anything else. I believe that there have been certain events at which bands have come together, not to collaborate but to display their music and talent. The challenge lies in supporting the development of music and talent in bands rather than focusing on any other area.

**Mr McCarthy:** The Minister told the Assembly that her Department has significant funds for marching bands. The Ballywalter Flute Band in my constituency has been invited to represent Northern Ireland at London's Lord Mayor Show in the near future. Does the Minister have some funding that could be directed to that area so that they can put on their best and get to London for the show?

**Ms Ní Chuilín:** I haven't any money on me. [Laughter.]

**Mr McCarthy:** I did not ask you that.

**Ms Ní Chuilín:** No, but you may as well have, Kieran; to be honest. To be frank, the Member is well aware of the Arts Council, its structures, its committees, its lobbies and all the rest. It surprises me he does not know that the first place to go is the Arts Council, but I wish the Ballywalter Flute Band all the best.

### Casement Park: Social Clauses

3. **Mr Sheehan** asked the Minister of Culture, Arts and Leisure for an overview of developments on the social clauses and investment in the community that arise from the Casement Park development. (AQO 4334/11-15)

**Ms Ní Chuilín:** Social clauses criteria have been agreed between the Department and the GAA for inclusion in the IST tender documentation. Socio-economic returns have been incorporated into the Casement Park tender documentation to include specific obligations on a successful contractor to deliver the following: significant opportunities for the long-term unemployed; significant opportunities for apprenticeships for those from areas



in the sectors of society suffering greatest social need; the delivery of weeks and months of employment placement and opportunity for students; the delivery of supply chain development and the targeting of small and medium enterprises; the delivery of effective and ongoing engagement with the local community; and to undertake practical proposals to develop a wide range of social returns for areas and communities in the proximity of the projects. In addition, the Member will be aware that, with regard to our investment in the community, there will be a dedicated community space for projects that will bring much needed work and jobs to the area, which has not received an adequate amount of investment over the past years.

**Mr Sheehan:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí. I thank the Minister for her answer. Could she provide a summary of the agreed social clauses for the Ravenhill, Windsor and Casement Park projects?

**Ms Ní Chuilín:** I will give a flavour of the Ravenhill project, and am happy to write to the Member on the rest, because they are quite detailed. For the Ravenhill project there is a contract to employ seven long-term unemployed people, create four new apprenticeships, to have 5% of the workforce in recognised apprenticeship schemes, to have two student placements and to have five practical proposals post-contract, which will develop a wide range of social returns in the area. It is the same for Windsor Park. That contract includes the employment of 17 long-term unemployed people, the creation of nine new apprenticeships, to have two student placements and, again, to have practical proposals post-contract. I believe that a targeted initiative such as this will bring added value to stadia development in the community.

**Mr A Maginness:** I thank the Minister for her answer on social clauses. She will be aware of concerns among local residents in relation to the overall Casement project. Recently, a scale model of Casement Park was exhibited in the Westwood Centre. Were there any positive developments arising out of that to reassure residents in relation to the current concerns that, not unsurprisingly and naturally, they are expressing?

2.45 pm

**Ms Ní Chuilín:** All Members have to support residents who have concerns and try to work through those. When those concerns are reasonable and we can do something about them, we should. The Member is right to say that there has to be a scale model, because that is a strict criterion of his colleague the Environment Minister when going forward for planning permission. I received a lot of positive feedback on that, particularly because I think the impression that people had, until they saw the model, was that it was going to be of a different size and specification.

There is an ambition to see what employment can be brought to west Belfast. We are still having discussions with the residents. I will be meeting them fairly soon, and I have met them before. I, my Department and the Ulster council of the GAA will be meeting them again, and that process will continue until the application process for planning permission closes in September.

**Mr Copeland:** Can the Minister confirm whether Casement Park is caught by the same European directive as Windsor Park in respect of potential illegality surrounding state aid?

**Ms Ni Chuilín:** The Member will appreciate that I cannot go into detail on that because I am actually fighting challenges over state aid. However, as I have said in my legal argument, I believe that this instance of state aid for the stadia is totally permissible. I will certainly defend very robustly the contribution of DCAL and the Executive for the development of all the stadia.

## World Police and Fire Games

4. **Mr Spratt** asked the Minister of Culture, Arts and Leisure for an update on the World Police and Fire Games 2013. (AQO 4335/11-15)

**Ms Ni Chuilín:** I do not know what happened there, but you shimmied very quickly, Jimmy. I thank the Member for his question. Following the outcome of the bracketing process, the company has confirmed that 56 sports will be offered during the games, and it is estimated that over 7,000 athletes will compete. As of 11 June, the total number of athletes to have registered for the games is 5,815, with an expectation of reaching over 7,000. The company has exceeded the target of £1.4 million of sponsorship, with a total amount of £1.6 million secured. The World Police and Fire Games schools packs were launched in October last year. They provide teachers with a comprehensive set of education resources to inform children and young people about the games and get them involved in the event throughout 2013. The company has also developed a social benefit strategy and a legacy plan to ensure the social inclusivity of the games, and has appointed three charity partners as part of that plan.

**Mr Spratt:** I thank the Minister for her answer. In relation to some of the negativity that is going around, particularly from one journalistic source, about the reduced numbers that were predicted, will the Minister give us some indication of the spin-off that is still expected from the 7,000 competitors and the people who will accompany them? The situation is good, given the present economic circumstances. Will the Minister and the Department be positive about the numbers that we have secured at present?

**Ms Ni Chuilín:** I share the Member's concerns. I experienced the same thing last year before the Olympic and Paralympic Games, particularly around the torch relay. I will not be petty, but there was a degree of eating humble pie by a certain section of the media after the success of that. The weather did not dampen people's spirits.

I expect people here, even though it is mainly based in Belfast, to come out and support the 7,000 athletes, plus their family members and friends who will accompany them. We will all give them the welcome that we are known for. There will also be a cultural programme, and the work with schools is excellent. The places available for volunteering have been oversubscribed. We will give the visitors a good welcome and, not only that, we will make sure that they come back. I think that that is important. I look forward, all being well, if God spares us, when we all come back here in September, to seeing the slant that some people are going to have to put on the success of the World Police and Fire Games.

**Ms Ruane:** Go raibh maith agat. Gabhaim buíochas leis an Aire as a freagraí. I thank the Minister for her answers so far. Will she outline, first, whether the lower number of athletes means that the organisers have failed to meet their targets and, if so, how can the Department work with them to ensure that those targets are met?

**Ms Ní Chuilín:** Thank you very much for your question. There are many reasons why the number of athletes, in terms of one of the original targets, has not been met. The main thing is the recession, which has had a global impact. But, in fairness to the company, it has adjusted this and still provided.

It is worth putting the information in context, in answer to your question and the one that Jimmy Spratt raised. At the 2012 London Olympics and Paralympics, 10,500 athletes competed in 26 sports, which cost around £9 billion. At next year's Commonwealth Games in Glasgow, there will be an estimated 6,500 athletes in 17 sports, which is costing £523 million.

By comparison, with our contribution of almost £7 million for 56 sports for 7,000 athletes, the World Police and Fire Games are not just better value for money, given the concerns and questions that some people have. They will also provide a lasting legacy not just for 2013 but beyond for the services, schools and people that will be involved in the project.

**Mrs McKeivitt:** I thank the Minister for her response and, in particular, her positive comments about the Games. This is our opportunity to showcase our region at its best, and she mentioned the volunteers and the huge response that the Games have received from the public, and how we are going to sell our brand. On a positive note, does she have the details of the opening and closing ceremonies of the World Police and Fire Games so that we can showcase that at its best?

**Ms Ní Chuilín:** The opening ceremony is going to be at the King's Hall. We are still working on the closing ceremony. I appreciate the Member's sentiments and the consistency of her positive approach and that of other Members to the World Police and Fire Games.

As I said earlier, the fact that well over half the volunteers have been subscribed to the programme is itself a testimony. They will be involved, not just in the opening and closing ceremonies but in every aspect.

I am aware that one of the Member's colleagues has offered his services. I am not too sure what the World Police and Fire Games uniform looks like, but I know that he was eager to wear pink Lycra for the Giro d'Italia. I know and hope that Members of this House will be involved in the opening and closing ceremonies and some of the events that we are going to provide between 1 August and 10 August, and I look forward to seeing you all there.

**Mr Principal Deputy Speaker:** You should call Members by their proper names. Miss Judith Cochrane.

**Mrs Cochrane:** Question 6, please.

**Ms Ní Chuilín:** Sorry, question 5?

**Mr Principal Deputy Speaker:** Sorry; my mistake, Judith. I call David Hilditch.

## Sport: Female Participation

5. **Mr Hilditch** asked the Minister of Culture, Arts and Leisure what steps she is taking to increase female participation in sports. (AQO 4336/11-15)

**Ms Ní Chuilín:** Political censorship, David; say nothing.

Females are significantly under-represented in sport in comparison with males. To help address the problem, my Department's strategy for sport contains a specific target to deliver a 6% increase in women's participation by 2019.

To ensure that that target is achieved and published, the Sports Matters action plan contains a series of actions that embrace a range of organisations across the sport and leisure sector, including promoting increased female participation through a range of departmental investments and encouraging other parties such as district councils and governing bodies of sports and clubs to do the same.

I have sought to promote female participation and success in sport publicly in a number of ways. I have been working very closely with the female sports forum, which aims to increase opportunities for women and girls to participate in sport.

**Mr Hilditch:** I thank the Minister for her reply. The 'Sports Matters' document certainly highlights the deficit. This week, the Committee for Culture, Arts and Leisure will be looking at the community sports hubs in Scotland. Does the Minister agree that the establishment of community sports hubs in Northern Ireland would present an ideal opportunity to develop female participation in team sports?

**Ms Ní Chuilín:** I do, in short. The Scottish models have been looked at as exemplars for lots of things, and I have been looking at some of those issues, including the community hubs for sport, in the same way that the Committee looked at hubs for the creative industries. We need to look at collaborative approaches, but they need to be targeted and we need to put in the investment on a targeted basis.

The results should be, and have to be, better. There should be increased participation of females in sport, not just for DCAL but for social development, social inclusion and health reasons.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers. What organisations are contributing to the Sport Matters targets for increasing female participation?

**Ms Ní Chuilín:** I met a delegation from Ulster Hockey, which is one member of the Female Sports Forum. There are many other members, including representatives of soccer, GAA, rugby and tennis. As I mentioned, district councils have been involved in the Active Communities programme. The Ulster council of the GAA is delivering a number of programmes, such as Gaelic 4 Mothers, recreational games for adults, Go Games, and coaching and development workshops.

The IFA has also done great work on expansion for junior girls' leagues and the growth of women's senior leagues. It has held open days to introduce girls to soccer, and it has delivered the Score pilot project, which provides clubs with the tools to enable them to encourage more girls to take part in sport.

Ulster Rugby, through its women's development officer, has delivered a number of programmes, including Play Rugby Girls initiative and the Girls' Schools Cup. Sport NI is also working with a number of the governing bodies to support and develop the Female Sports Forum to try to get more women and girls involved in sport.

### Pleasure Grounds: North Down

6. **Mrs Cochrane** asked the Minister of Culture, Arts and Leisure when her Department received and will comment on the new draft pleasure ground by-law proposals for the North Down Borough Council area. (AQO 4337/11-15)

**Ms Ní Chuilín:** That question has been transferred to the DOE, a Phríomh-LeasCheann Comhairle.

### Commonwealth Games: Queen's Baton

7. **Mr Allister** asked the Minister of Culture, Arts and Leisure how her Department will promote and mark the arrival of the Queen's baton as part of the Commonwealth Games celebrations. (AQO 4338/11-15)

**Ms Ní Chuilín:** Responsibility for promoting and marketing the arrival of the Queen's baton as part of the Commonwealth Games celebration rests in the first instance with the Commonwealth Games Council, which is the lead body for commonwealth sport here. I understand that NICGC, which has been engaging with the organising committee of the Glasgow 2014 Commonwealth Games, is considering events to be held between 20 and 23 May 2014, when the baton relay will visit here. My Department, through Sport NI, will work closely with the NICGC as it takes forward its preparations and celebrations for the 2014 Glasgow games. Further details on events planned to promote and mark the arrival of the baton as part of the Commonwealth Games will be provided by NICGC nearer the time.

**Mr Allister:** We all recall the success of the Olympic torch relay and the enthusiasm of the Minister to be seen and be present when the torch arrived. Will we have the same enthusiasm and presence when the Queen's baton arrives in the run-up to the British Commonwealth Games?

**Ms Ní Chuilín:** To pass the baton back to the Member, I will be totally enthusiastic about supporting athletes, organisers, coaches and families who are participating in the Commonwealth Games of 2014. To expect or suggest anything else is just churlish.

**Miss M McIlveen:** Following the success of the Olympic torch relay and the anticipated arrival of the Queen's baton in 2014 as part of the Commonwealth Games, will the Minister outline whether there will be a community-based relay event to mark the opening of the World Police and Fire Games this year?

**Ms Ní Chuilín:** I have no details about a community relay event for the World Police and Fire Games. I am meeting the company to try to finalise that, because it has been suggested. However, we need to see details rather than outlines. It would be a good idea. Given the number of children and young people who are involved in volunteering in schools, it is really important that they are involved in a significant event like this.

**Mr Principal Deputy Speaker:** Chris Hazzard is not in his place to ask question 8.

### Rugby

9. **Mr Hamilton** asked the Minister of Culture, Arts and Leisure how her Department is assisting in the development of grass-roots rugby. (AQO 4340/11-15)

**Ms Ní Chuilín:** Sorry, what number?

**Mr Hamilton:** Number nine.

**Ms Ní Chuilín:** I will give you any answer, just hold on. *[Laughter.]* Responsibility for the development of grass-roots rugby here rests in the first instance with the governing body of the sport, namely the Irish Rugby Football Union and its Ulster branch. Over the past five financial years, my Department, through Sport NI, has provided £2.8 million to rugby through a number of funding programmes to assist in the development of sport at grass-roots level.

### 3.00 pm

**Mr Hamilton:** I thank the Minister for her answer. Given the recent success of the Ulster rugby team and the development of rugby in Northern Ireland, does she agree that the number of coaches operating in Northern Ireland is too low? Will she endeavour to work with Ulster Rugby to develop the number of coaches and spread that right across Northern Ireland so that our rugby players can have even more success?

**Ms Ní Chuilín:** Absolutely. I have been and will continue working with Ulster Rugby. At the minute, we are working very closely on the development of Ravenhill, and grass-roots development is included in that legacy. To be fair — I am not making a point — it needs to go outside grammar schools and include everybody. Some of the kids, even from different sporting codes, are now getting involved in rugby. That is a good thing, and I am sure that the Member agrees.

## Northern Ireland Assembly Commission

**Mr Principal Deputy Speaker:** Ms Dolores Kelly is not in her place.

### Parliament Buildings: Flag

2. **Mr Allister** asked the Assembly Commission what progress has been made in increasing the number of days on which the Union flag can be flown at Parliament Buildings. (AQO 4348/11-15)

**Mrs Cochrane:** I thank the Member for his question. I want to be clear that the Commission has not set out to increase the number of days on which the Union flag will fly at Parliament Buildings. Instead, at a meeting of the Commission on 5 February 2013, the Commission tasked officials to bring back a report, following consultation with Assembly parties, to simply review the number of days on which the Union flag flies from Parliament Buildings; to detail a range of options; to set out how a process of public consultation could be carried out; and to outline the arrangements for carrying out an equality impact assessment (EQIA). There was to be no predetermined outcome. Parties were invited to submit written statements. The Assembly's Research and Information Service has analysed the responses, and a paper detailing a range

of options on the way forward will be considered at the Commission meeting on 26 June.

**Mr Allister:** Previously, the Commission announced that, when it had received the representations of parties on 12 April, it would proceed to public consultation and an equality impact assessment. We are now more than two months beyond that date. Why is there feet-dragging on this important issue?

**Mrs Cochrane:** I thank the Member for his question. What the Commission agreed was to detail a range of options and to set out how a process of public consultation would be carried out, including an EQIA, not to go ahead and proceed with that. We will look at a number of options in the report when it is brought to us next week.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Judith Cochrane for her answer. Does she agree that the Commission took a very wise position in June 2002 when it decided that, rather than the contentious issue of flags being part of its work, it should be dealt with by the political parties? Does she think that that is the best way forward and that any other suggestion or motion to the contrary undermines the terms of the Good Friday Agreement, particularly on parity of esteem?

**Mrs Cochrane:** I thank the Member for his question. Yes, in 2000, the Commission agreed that the flags issue was a political matter that is best handled by the Assembly. However, the procedures of the Commission allow Members to bring a motion forward at any time. The Commission member brought that motion forward, and, as I said, options have been looked at. I have not seen the paper yet — I will see it next Wednesday — but one of the options may be to, for instance, ask the Assembly working group to look at this and take it forward.

**Mr McGlone:** To clarify, will the Commission leave it until the deliberations of the working group on flags and symbols, which was commissioned by the Office of the First Minister and deputy First Minister (OFMDFM), are complete?

**Mrs Cochrane:** As I said, the Commission will look at the way forward on Wednesday. We will look at the options detailed, and I imagine that one of the options will be to await the outcome of the working group. At this stage, I cannot comment on exactly what the Commission will decide to do.

**Mr Copeland:** It seems that at least two different lists are used by different bodies to designate designated days. Can she explain the reasoning behind the differences between those two lists?

**Mrs Cochrane:** When the Assembly agreed to adopt a designated days policy, it was based on the draft flags regulations, and I can provide a list of those. The list of regulations is issued each year and is generally 15 days in total. There are exceptions, however. For example, the regulations permit the flying of the Commonwealth flag alongside the Union flag on Commonwealth day, and on Europe day, they permit the flying of the European flag alongside the Union flag. The Assembly Commission operates within the existing statutory guidance for this area.

## Assembly: Prompt Payment

3. **Mr Agnew** asked the Assembly Commission what percentage of invoices received in the past year were not paid within the 10-day prompt payment target. (AQO 4349/11-15)

**Mrs Cochrane:** I thank the Member for his question. On 1 December 2008, Mr Nigel Dodds MP, the former Minister of Finance and Personnel, announced a non-statutory prompt payment target for Northern Ireland public sector entities. At that time, the Department of Finance and Personnel (DFP) issued further guidance to accounting officers highlighting the commitment of Northern Ireland Civil Service Departments to the better payment practice code. Although it is recognised that the Assembly Commission is not an Executive Department, it is committed to applying best practice principles. So, to that end, this target has been applied from the date of its introduction.

During the previous financial year, from April 2012 to March 2013, 96·2% of all invoices were paid within the 10-day target, meaning that only 3·8% of invoices were not paid within that target time.

**Mr Agnew:** I thank Mrs Cochrane for her answers. Does she agree that, although there has been some bad practice in the private sector in delivering prompt payments to contractors and subcontractors, the public sector should lead by example in this? I certainly welcome the figures that she outlined; they are very positive. Does she agree that such figures need to be seen across Departments?

**Mrs Cochrane:** I thank the Member for his question. Yes, I do agree with you. We continually monitor this target, and the Assembly's finance office monitors and reviews it quarterly. In addition, each year the Commission publishes in the annual report and resource accounts its policy on payments to suppliers, including details on all third-party payments, as well as the performance against this and other targets. For the past four years since this target was introduced, the Assembly Commission has succeeded in paying between 95% and 96% of invoices within 10 days of their receipt.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank Judith Cochrane for her answer and welcome the figures. What specific measures are being taken to ensure that targets are also met?

**Mrs Cochrane:** The targets are met. I think that that is the answer that I have already given. We have the target, and we are hitting 96·2% along the way. In comparison with the other Departments, the Assembly Commission is aware that the Comptroller and Auditor General issued a report on financial auditing in November 2012. That report included a comparison of prompt payment performance across the Northern Ireland public sector as a whole. The report shows that the average 10-day prompt payment performance for Executive Departments for the 2011-12 financial year was 89%, with 93% being the highest performance by any single Department.

## Assembly: Printers

4. **Mr A Maginness** asked the Assembly Commission whether any assessment of the high consumption of ink by the new HP printers has been carried out. (AQO 4350/11-15)

**Mr P Ramsey:** I thank the Member for his question. The IS Office, together with engineers from the HP printers supplier, have examined a number of devices that belong to Members. Their tests have concluded that the devices are operating correctly in line with the normal consumption of toner-based and industry-standard tests. It should be noted that the consumption of toner in any laser printer is very much dependent on the type of printing job that is submitted. For example, the use of colour in print jobs should be minimised to allow the best yields from the toner cartridges.

The use of "economy" mode can reduce the consumption of toner ink by up to 50%. I know that Assembly Commission staff have written to Members again to say that they would assist in ensuring that the printers are set at the correct mode and are updated. Assembly Commission staff have reissued guidance to constituency staff about the best and most efficient and effective ways to use printer consumables. Furthermore, as I said, the IS Office will visit any constituency office to update, brief and advise Members accordingly.

Prior to the implementation of printers in constituency offices, comparable cost studies were carried out that revealed that the consumables that the stationery and IT consumables supplier currently provides offer the best value for money. Based on feedback from a survey of Members and staff that was issued prior to the purchase of the printers, the key concern was reliability of the printers. Most Members will recall that there were umpteen problems with the previous printers. Our staff had to maintain them regularly, which is why they were upgraded. The issues were addressed in a business case that IT developed for the project. The primary objective, therefore, was to provide offices with modern and reliable printer facilities.

**Mr A Maginness:** I thank the Member for his response. There is clearly a problem, and I am grateful for the way in which the matter has been outlined by the Commission. However, I am not certain that the ink that we are using is value for money, which puts pressure on Members' allowances for stationery and consumables. It may be that the Commission will have to look at the issue and even go to the independent panel about it. Any additional measures that would help staff in constituency offices would be welcome.

**Mr Principal Deputy Speaker:** Can we have a question, please?

**Mr A Maginness:** Will the Member and the Commission review the position further?

**Mr P Ramsey:** I thank the Member for his supplementary question. A number of Members have written formally to senior staff expressing concerns about the printers. I can understand that a number of Members are frustrated, given the independent panel's two separate determinations. One was to restrict and reduce the budget for consumables to £1,000, and, on top of that, there will be a reduction in Members' office costs allowance by £5,500, which most Members feel will have an adverse effect. That has compounded matters. Given that the panel is independent, I am not sure that the Commission has any role in lobbying for or championing that cause. It is up to all parties in the Chamber, and if they have concerns that the service that they provide at constituency level is being

adversely affected, I encourage them to request a formal meeting with the independent panel.

**Mr Spratt:** I accept all that you said about the printers' quality and reliability compared with the old ones. Given the high cost of replacement cartridges for these machines, what examination was done? The cost has trebled or quadrupled at least. That needs to be examined to find out whether a similar product can be bought at a better rate than is being offered to Members.

**Mr P Ramsey:** I share the Member's concerns. It is an ongoing issue that senior management reviews continually for any new tendering. The Member is correct. With the old printers, it cost around £30 to print 1,000 pages. With the new printers, the cost had doubled, but it has not tripled or quadrupled. That causes concern, and when there is a new procurement process, senior management will be conscious of that to try to get a better deal for Members. But I reiterate: the biggest problem facing Members is the independent panel's determination, which has significantly reduced the budget for consumables and, at the same time, reduced the office costs allowance.

**Mr Hussey:** In deciding which equipment to purchase, what matrix was used to ensure value for money over the life of a printer?

**Mr P Ramsey:** When the printers were originally commissioned, each constituency office received training. A full assessment was carried out on their viability, and there is no doubt about the quality of the printers is good.

There is a difficulty, and I accept that a number of Members have said so. This has been discussed a number of times at Commission meetings, and I had a meeting with the Director General about it.

The IS Office met several local suppliers to gain an understanding of leading manufacturers and the range of devices and features available in the current marketplace. As a result, the IS Office accepted offers of trial equipment from Hewlett Packard, Canon UK and, latterly, the manufacturers of the old printers, OKI Ltd. Those trials allowed the IS Office to evaluate new printing technologies and their potential application in the Assembly and at constituency level. The devices were assessed against the following criteria: ease of use, performance and additional functions, duplex toner-save and use of generic consumables. Each criterion varies across the range of devices. The trials were undertaken in June and July 2012 and involved making the loan devices available to key secretariat users. The printers are about high-speed, secure and confidential printing using PIN codes. I impress on the Member that there was a lot of evaluation leading up to this decision, and a lot of tests and trials of other equipment took place. These are the findings of our procurement and tendering team.

3.15 pm

**Mr Principal Deputy Speaker:** Question 5 has been withdrawn.

### Parliament Buildings: Roof Project

6. **Mr Rogers** asked the Assembly Commission whether the roof project will impact on Committee meetings. (AQO 4352/11-15)

**Mr P Ramsey:** I thank the Member for his question. The Assembly Commission has recently been granted planning approval to proceed with the roof project on the basis of technical solutions detailed in the stage D report presented by our design team. Although this solution is likely to be less disruptive than other options that were considered, there will be a major construction project such as we have not seen before, and it will not be without some noise or disruption to the House. The Commission has confirmed that no noise and disruption to plenary sittings will be tolerated during the construction period and is looking at options to mitigate disruption to Committee meetings. These include the possibility of relocating some or all meetings and further restricting the contractor's working arrangements to include Committee meetings. There are clear cost implications associated with placing restrictions on the contractor, and it is important that such restrictions are agreed in advance so that additional costs are not disproportionate. The Commission has requested further information that will allow it to determine and agree how best to deal with the noise and disruption. Members will be kept fully informed about any potential impact on Assembly business.

**Mr Rogers:** I thank the Member for his answer. Is it likely that Committee meetings will be held outside Parliament Buildings?

**Mr P Ramsey:** The Assembly Commission recently looked at a variety of options, including holding the meetings here. Some staff will be decamped from the Building because of the seriousness of the work and the disruption, particularly to level 4 of the Building. There is an option to hold all Committee meetings outside Parliament Buildings, and the cost of that is being tied down. There is also an option of retaining the integrity of Committee meetings within Parliament Buildings, but with that come restrictions on the contractor. We would have to ensure that there was no disruption and noise when Committee meetings were taking place because of a number of factors, including recording the meetings for Hansard and television. So we intend to hold a further Commission meeting, as Judith Cochrane outlined. We need to resolve this before the summer to get the best deal for the House.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I wonder whether the Commission wants to start taking suggestions for alternative locations because a number of us would throw out various places. Will Pat outline to the House when he expects work to start and conclude on the roof project?

**Mr P Ramsey:** The project will last for about 12 months. We hope that work will commence soon after the summer recess and certainly before the new year. We are looking at alternative venues, but they bring increased costs, not just the cost of holding the meetings but the cost of hiring rooms and the transport of staff, including those in Hansard. All those options are being examined corporately by the Assembly Commission, and we will go for the option that means least disruption to Committees and brings value for money.

**Mr Principal Deputy Speaker:** That concludes questions to the Assembly Commission.

**Mrs D Kelly:** On a point of order, Mr Principal Deputy Speaker. I was delayed in coming down to the Chamber and so was not in my place to ask the first question. I apologise to you and to the House.

**Mr Principal Deputy Speaker:** Thank you very much.

## Private Members' Business

### Broadband: Rural Areas

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Flanagan:** I beg to move

*That this Assembly welcomes the investment by the Executive in improving access to high-speed broadband; recognises the continuing need for improvements in broadband infrastructure in many rural areas; and calls on the Minister of Enterprise, Trade and Investment to work with local stakeholders to identify the areas that are in greatest need and to target investment on those areas to provide equitable broadband speed, cost and reliability.*

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am delighted to move the motion, which hopefully will not prove to be too contentious. I hopefully will not need 10 minutes, because I do not think that it needs 10 minutes.

The motion is very simple: it calls for improvements to broadband provision, particularly in rural areas. I do not think that anybody can be too upset about that. As a rural MLA, I, like many other elected representatives, receive regular complaints from citizens and businesses unable to receive the same standard of broadband as their urban counterparts. They feel that they are being left out of some of the investment that has taken place recently.

The starting point should be that we acknowledge and welcome the considerable investment that has been leveraged into the telecommunications infrastructure as a result of Executive funding. Broadband or telecommunications is not a transferred matter, so it is not the responsibility of the Executive. However, the Executive can make interventions where they feel that there is a need. That has been very positive and is largely welcomed. However, an awful lot of the frustration that has historically been out there is still there, and we need to reflect on that.

Very many areas are still in the Dark Ages when it comes to broadband infrastructure and access to telecoms. I could spend the next five minutes listing the townlands, hamlets, villages and towns in my constituency that are simply cut off from the network, but, to Members' delight, I will not do that. We will be told by other contributors and by the Minister that there are viable alternatives to the now privatised entity that continues to receive millions of pounds of public funding and has considerably improved its network in recent years, particularly in the North of Ireland, thanks to proactive investment from government. That has not happened in Britain. For high-speed, superfast broadband, we are definitely to the fore across these islands, and that is to be welcomed. However, there is still the same problem as there has always been with rural access.

Coming from a telecommunications background, I know the existing alternatives fairly well. However, given their speed, the cost for consumers, the government intervention that would be required and the reliability of

satellite mobile and the other forms of wireless technology, nothing really compares to fibre to the property (FTTP). However, it is far from fibre to the property that we are at the minute. I do not think that a figure has been calculated to see how much that would cost, and I do not think that we will see it any time soon. Recent improvements in fibre to the cabinet (FTTC) have made a considerable difference in many urban areas and just outside urban areas, but, once you get beyond the street lights of most towns, villages and cities, you do not really see the impact of that, and it has been left to alternative providers to fill the gaps.

On the latest technological advancements, we will see the roll-out of 4G in the coming period. I know that some operators have begun that process with investment in Belfast in recent months, and that will continue. Satellite provision continues to improve in speed and reliability, but it is still quite costly, and some people are dissuaded from switching to satellite because of the large sign-up and set-up costs. However, we have yet to see how the additional funding that has been secured for improving broadband provision will be used. The Executive and the British Government have allocated funds, but we have been told previously and, I presume, will be told this time that it will be left to the market to determine the best technology. To date, that approach has not solved all our problems despite the improvements that I have noted. I know that the Minister will go into more detail on that in her response, so I will not steal her thunder.

The hardest-to-reach areas are still without adequate service, but urban areas, which were already receiving over two megabytes per second, are now in receipt of over 70 megabytes per second, which is more than adequate for any household. We still have the anomaly that people living in the countryside cannot get broadband through their phone line. That is a source of frustration for many people. There is no equality in coverage. One of the main reasons for that is that we are dealing with private companies that are driven primarily by their shareholders and their desire to have a profitable outcome. That is where the Government need to intervene. The Government can take two approaches. They can take a carrot approach, whereby people are given financial or other incentives to invest in what would be termed non-profitable areas, or the Government need to use a stick, which can be done through better regulation and better targets being set by Ofcom and those being properly policed. We have to see how this will pan out. The European Commission and the European Parliament are setting targets for the British Government, and the Minister's telecommunications action plan and the Programme for Government talk about giving every household broadband of at least two megabytes by 2015. All the targets are there, but the main questions are "How will we get there?" and "How much will it cost?"

There is a feeling among rural dwellers that they are being treated as second-class citizens by telecommunications providers and that the policies and interventions of the Executive could be improved to better serve rural dwellers. Some changes could be made to ensure that the much-needed money would have a much greater impact.

We all know that it is very unlikely that rural properties will connect directly to the fibre network any time soon. One of the only ways that we would see that would be through the introduction of a universal service obligation

if that were to be imposed on providers. To date, there is no mad clamour to introduce that. There has been some discussion about it in recent years, but that has not really progressed. As far as I am aware, the responsibility for doing so currently lies with the British Government, as do most telecommunications and broadcasting powers. Whether that remains the case and is in our best interests is something that we need to debate as an Assembly and as a society.

The whole concept of a universal service obligation is nothing new. It is something that we are well used to. It exists for landline phones and postal services. If you look across the board at how people access services, communicate and manage their everyday life, you see that broadband is now an essential part of that. It is considered every bit as essential as both those services, and it should be delivered to every property adequately as regards speed, reliability and cost.

As regards solutions and technologies that would deliver high-speed broadband and reliable mobile phone coverage, DETI needs to give greater consideration, when the tender that it is working on is rolled out, to whether a greater point score can be given to providers who can provide broadband and mobile phone coverage in the one process. They are similar problems. The lack of mobile phone coverage is a completely separate debate, and we could delay the House for another hour and a half talking about that, so I will not go into the detail on that, except to say that, if the Executive go down the route of trying to invest to bring 2G mobile phone coverage up to an adequate standard, it is possible that it will still not be as good as the 4G service when it rolls out. So, it is my view that the money that the Executive put into mobile phone coverage from the mobile infrastructure project should be done as part of the roll-out of the 4G services, if that can be timed correctly.

I will speak briefly about my area and the much-rumoured telecommunications legacy from the G8 summit. Like, thankfully, all the trouble that was going to be caused, it has failed to materialise.

### 3.30 pm

The police erected a mast at the Lough Erne resort. Fortunately, that will remain; it is a very welcome addition. The temporary masts in Enniskillen town centre are unlikely to remain, and will not solve many of the problems in rural communities. From a local point of view, that is deeply disappointing, given the ludicrous promises made in advance of the G8 summit.

The motion calls on the Minister to work with local stakeholders. The Department recently carried out a consultation exercise that identified postcode areas in greatest need. There were a considerable number of responses to that consultation and its findings were made available to the Committee. It is good to see that the Department is looking at areas in greatest need. I will rest my case there.

**Mr D McIlveen:** I welcome the opportunity to speak on this subject. I have been lobbied heavily on this issue in my constituency of North Antrim. When it comes to broadband, we seem to have patchy coverage to say the least. This is an important issue for very many families in my constituency. It affects not just people working from

home or in businesses, but regular people like me and you, dare I say it, Mr Principal Deputy Speaker.

It is very frustrating when connection speeds are so slow at times. However, there is something even more frustrating: broadband providers are treating everybody almost the same, regardless of the speed of the internet service that they receive. That was clearly demonstrated by correspondence that I received from one constituent:

*"I live in rural North Antrim. I am writing to ask you what is currently being done by the NI Assembly to improve broadband connections for those of us currently without access to fibre-optic connections. Our connection speed at the above address is 0.5Mbps. I understand that the average connection speed in the UK is 7Mbps, with of course many others receiving much faster speeds.*

*In our household, I have a final year student at university, another student based across the water but studying here during the holidays and also a secondary school pupil. All of my children require good access to the internet for their studies. It is very frustrating to have to live with slow speeds on a day to day basis — even finding the contact details for my MLAs took 10 minutes due to the time taken to download photographs. At the same time we are still paying the same price for our connection as people receiving far faster broadband speeds."*

That last point is crucial. That letter, like others, prompted me to continuously seek to improve broadband provision in my constituency. I am in regular contact with the internet service providers. I also periodically issue mail drops to keep constituents updated. Despite that, my constituent hit the nail on the head about the pricing of broadband when we do not receive the speeds that we would hope for.

I know that much is being done by the Department to tackle this issue, mainly from a broadband provision perspective, and I commend the Minister on that. I also commend her work on the next-generation broadband project and the Department of Enterprise, Trade and Investment (DETI) telecoms action plan. Those initiatives have been effective in rolling out much better broadband capacity for our Province. However, a lot more is still to be done. I know that the Minister is aware of the challenges, but this is not an issue only for the Department; there is a private sector interest as well, and it has to step up to the mark in delivering the infrastructure required to provide us with much faster broadband, particularly in rural areas.

I commend and support the motion, and I look forward to the Minister's response.

**Mr Rogers:** I welcome the motion today. First, we need to acknowledge the advances that have been made in the extension of broadband infrastructure throughout the North in recent years, but there are many black spots, especially in our rural areas. The lack of modern ICT infrastructure in rural areas is one of the main messages I get from rural businesses and communities. Rural businesses need effective infrastructure if they are to be successful, to realise their potential and to contribute to economic growth, and to maximise their economic resilience by providing greater flexibility and competitiveness, supporting innovation, enabling business to do new things and to develop currently unknown services and



applications, and supporting that competitive economy. In fact, there is a big rural/urban divide.

Minister, I know that Fermanagh is the centre of the universe today, but the same cannot be said for access to broadband. Recent announcements of 100-megabit technology that is offered in cabled areas and urban settings, while rural areas struggle to obtain even basic broadband services, help to illustrate the rate at which the digital divide is widening. The latest software is developed using that 100-megabit technology, and one can only imagine how it will function when you have to use it on a 0.5 megabit connection.

In reality, there are areas in Northern Ireland where fixed-line solutions are not possible, for technical and commercial reasons. Recent developments in mobile and satellite technology are welcome. The £5 million investment in rural broadband that was announced by the Agriculture Minister is a good start, but it is a basic service if rural businesses are to grow and prosper.

I am disappointed that our amendment, which called on the Minister of Agriculture and Rural Development to work with stakeholders as well, was not agreed for today. We cannot address the issue fully, as the Minister responsible for rural affairs is not present. The is not just a DETI responsibility; it is an Executive responsibility.

The rural White Paper action plan places a strong emphasis on improving broadband for business, but its targets are not challenging enough. Rather than having a target to:

*“extend access to high speed broadband services to 85% of rural and urban businesses”*,

a more challenging target would be to extend it to 85% of rural businesses. That is, if “rural” is outside the 30 mile per hour limit, rather than simply outside Belfast and Derry.

This week, Northern Ireland is on the world stage for the right reasons. Fast and efficient broadband is the train tracks on which the economy recovery engine must travel. The superhighway that links Europe with America, North and South, travels past our door. Project Kelvin is there; we just need to get on at the station.

Economic recovery will mean developing both foreign direct investment and small and medium-sized enterprises (SMEs). While much of the foreign direct investment is based in our urban centres, our SMEs are operating across the North, from Castlerock to Killeel and from Portavogie to Strabane. Central to the economic recovery is a strong network of SMEs across the country, and central to that development is a fit-for-purpose broadband infrastructure. Could you do the same job in a rural SME in south Down as you could do in the science park? In many cases, you could, but look at the benefits: living and working in a rural environment; up to three hours' less travel a day, saving in monetary and environmental terms; leisure on your doorstep, such as a walk in the Mourne or mountain biking in Castlewellan; cheaper office space; lower house prices; and friendly people.

All rural dwellers should have equal access to broadband services as their urban counterparts. Our farmers need broadband, be it for online applications for single farm payment, stock monitoring, stock records, VAT or PAYE returns, to name but a few.

Our schools need a good service. That was one of the many problems we had with computer-based assessment. Our rural schools have ongoing problems with connectivity. It sounds good, in theory, if you have a 5-meg speed, but once you split it across 20 computers it is very, very slow.

Our tourism industry needs a superfast broadband service for many reasons, including marketing and booking information. Transforming Your Care also needs a good broadband service. In conclusion, Minister, I commend the work that has been done to date, but there is more to do. DETI has a lead role to play with Executive colleagues to ensure that our economic recovery train can leave the station with the right broadband infrastructure.

**Mrs Overend:** The rapid emergence of digital technology has changed consumers' service needs and demands. The fact that we are having this debate today is evidence of how government must be responsive to that. The motion refers to the provision of equitable broadband speed, cost and reliability. I am sure we can all agree with that aspiration, especially those of us from rural constituencies. For example, in Mid Ulster, I have been contacted by those in the business community and individual consumers who are struggling with access to broadband because of their location. That cannot be allowed to continue. I am, therefore, happy to support the motion. I hope that it will lead to a renewed focus on addressing some of the problems that still persist in various parts of Northern Ireland.

The Executive have taken steps to improve the situation. That is to be commended. DETI has been working through the next generation broadband project to ensure the development of a modern, efficient infrastructure, which is essential for economic and social development. It also has in place a telecoms action plan, which proposes that, by 2015, virtually everyone in Northern Ireland should have access to broadband of at least two megabits per second and that 90% of premises will have superfast broadband speeds of 24 megabits per second. I am sure that the Minister will detail the work of her Department much more fully in her contribution as well as outlining the budgetary commitment to rural broadband in particular.

The Department of Agriculture and Rural Development (DARD) has also invested £5 million from the rural development programme to tackle this issue. The Department of the Environment (DOE) has announced changes to the planning system to boost mobile phone and internet coverage in Northern Ireland. That has improved the speed of the planning process. Applications are no longer needed to replace, alter or extend an existing mast or antennae or to install a limited number of antennae on an existing mast. All of that is good work that is being done at a devolved level. It must be continued and developed.

Further to that, we have also received significant support from Westminster in this vital area. George Osborne, in his 2013 Budget, announced his intention to re-profile funding for broadband to support local delivery. In the previous 2012 Budget, £13.7 million of investment was allocated to Belfast for the delivery of ultra-fast broadband to up to 113,000 residents and 9,000 businesses and high-speed wireless connectivity to up to 63,000 residents in key areas. An additional £50 million was also made available to fund a second wave of super-connected cities, with cities across the UK eligible to apply for funding.

That 2012 Budget also set out investment in mobile infrastructure to deliver improved coverage, including on the A2 between Londonderry and Newry and the A29 between Coleraine and Armagh, which, as you know, Mr Principal Deputy Speaker, is a very important route because it travels directly through Mid Ulster. Although it is, of course, split between urban and rural areas, I ask the Minister to outline in her response the current situation with that funding and the work that is under way as a result of it.

It is also topical to raise the issue of the G8 summit. It has been said that Fermanagh has received increased broadband for the purposes of hosting the summit. I am sure that residents will be pleased about the improved provision. However, it is important that there is a more permanent solution for that area of Northern Ireland.

Despite the ongoing work that I have outlined, issues remain unresolved. I mentioned my constituency at the outset. Many Members will have had similar experiences with their own constituents expressing concerns at weak broadband coverage and "not-spot" areas. In the past, the Minister has admitted that her own broadband service in County Fermanagh is sometimes intermittent. We cannot allow a situation to persist whereby some people in rural areas are being subjected to a service that is much inferior to that in other areas.

Recently, I heard concerns being raised by the First Minister about displacement of jobs should enterprise zones be set up in a specific area in Northern Ireland. The fact is that such poor broadband provision is having a similar effect in rural areas because it is leading businesses to relocate elsewhere. Earlier, my colleague from south Down mentioned farmers. They are unable to relocate. Yet, they are being encouraged more and more to complete applications online.

**Mr Principal Deputy Speaker:** The Member must bring her remarks to a close.

**Mrs Overend:** This is a serious issue. I support the motion.

**Mr Lunn:** First of all, I apologise for not being here at the start of the debate to hear Mr Flanagan's introductory comments. I also have to apologise because I will not be here much longer after I have spoken. These things, sometimes, happen.

### 3.45 pm

When you see some of the figures from Ofcom — 95% of consumers in Northern Ireland have access to superfast broadband services, which is the highest in the UK — you might wonder what the problem is. However, there is still a problem in some rural areas and in other areas where some people get a reasonably fast broadband connection, but others down the street do not. So there is still work to be done, but I acknowledge the work that has been done, particularly by the Department of Enterprise, Trade and Investment.

In the information pack, I read about the project to upgrade 1,265 cabinets, which I will come back to in just a moment. That is an example of necessarily slow but steady progress. Each one of those cabinets may not benefit 20,000 people, but it will benefit a number of people, and, gradually, we will whittle away at the last 5% who are not satisfied with what they have at present.

When we have these discussions, I often use my home as a test case. We have not had broadband coverage worth the name for the past 10 years. I periodically check the anticipated speed by testing the line with BT. I tested it again this morning in preparation for this debate, and I was told that I could expect a broadband speed of 2.5 megabytes, with margin of error of 2 megabytes. So, that did not advance my cause very much. I then took the trouble to phone BT to discuss it, and I found out, to my enormous pleasure, that I can now get 10.8 megabytes using some kind of BT product, which will not cost me any more than am I paying for the use of a phone, with BT Sport also thrown in. I can announce to the House and the world outside that I have taken that deal. The reason for that increase is that the antiquated Stoneyford exchange now has a fibre optic connection to whatever cabinet serves my property. That will be good news for a lot of people in the immediate locality. That is what we have to do: increase it step by step.

I acknowledge the work done by the Minister's Department and the Agriculture Department. I encourage them to do more as quickly as possible and to work with the private sector. I know that the private sector can do things that government cannot do in case they distort the market, but I am sure that, with intelligent co-operation, we can get there and make things even better than they are now. Having said that, I will support the motion.

**Mr I McCrea:** Like others, I welcome the opportunity to speak in this debate. Mid Ulster is divided up into about two-thirds rural dwellers and one-third urban dwellers. Like other Members who represent the constituency in the House, I am more than aware of the difficulties that people living in rural Mid Ulster have in achieving a decent connection. However, I have to give credit where it is due. Having led the delegation from Cookstown District Council, which included councillors, officers and, indeed, businessmen from the constituency, that met the Minister to deal with broadband issues, I can truly say that, on every occasion, the Minister had a listening ear, and I think that that is because she represents a rural constituency and, therefore, understands the problems. I certainly never came away from any meeting or discussion with the Minister feeling that she was not willing to do her best to help, and I have no doubt that that will continue to be the case as we move into the future.

My colleague referred to educational needs, and this is certainly vitally important for our young people. I, along with my colleague Alastair Ross, attended an Open University event up here, and an important aspect of its work is done via the internet. It is important that we try to ensure that our students have access to decent broadband speeds.

There are rural businesses out there that have the opportunity to win contracts to fix computers across the world, but they depend on superfast broadband speeds to be able to achieve that. That enables them to log on to a computer on the other side of the world and deal with problems, which saves them a lot of money. It is certainly something that the superfast broadband can help with.

I know that, in my council area, there has been a lot of focus on consultations that the Department has been carrying out, and people responded to the postcode issue of "not spots" or slow speeds. It is important that people take the opportunity to respond to these, because people can be missed. It is important that we can truly say that we

have 100% coverage; that that is a real figure. Sometimes, you make a comment — this has happened to me — only to receive an e-mail saying, "Well, what about me?" It is important that we do all that we can to achieve superfast broadband, but it is not something that can be realised in every area, especially in rural Northern Ireland.

One of the strangest conversations I have had with a constituent was with someone whose cabinet across the road in front of his house had recently been upgraded to fibre optic. He was straight on the phone to get his line upgraded, only to be told that his house was covered by a cabinet that had not been upgraded and that was about a mile up the road. He was very disappointed, I have to say, and no matter how much I or others tried to explain it, he could not accept that this was in any way acceptable. It is important that we do what we can.

I have no doubt that the Minister will do everything that she can in making her bid for Westminster funding to ensure that a fair share of that money is spent here in Northern Ireland so that our rural dwellers have an equal opportunity to access the type of broadband that people who live in urban areas have. I commend the Minister for the work that she has done up to now, and I look forward to working with her to ensure that rural dwellers get the adequate service that they feel that they should have.

**Ms Maeve McLaughlin:** Go raibh maith agat. I speak as a member of the ETI Committee. I welcome the opportunity to contribute to this debate. A lot of the points have been made, so I just want to make a number of observations.

As a Member who spoke earlier said, this is an important issue not only for rural businesses but for rural families. The motion clearly calls on the ETI Minister to work with local stakeholders to identify the areas that are in greatest need and to provide solutions or to target investment accordingly.

It has been suggested that, at present, everyone in the North has access to broadband services. We are told that a broadband service of 512 kilobits has been available since 2005, but the reality, as Members have said, is that, in many areas, consumers enjoy speeds of at least 2 megabits per second, which is about four times as fast as 512 kilobits per second. I welcome the fact that DETI is considering how to address the issue of the remaining homes and businesses, particularly in rural areas, that suffer from that lack of provision.

Much has been made of Project Kelvin and the opportunities that that gives us in relation to data connection and connectivity, particularly with North America. However, it is my contention that this has not been marketed to its full capacity. Service providers are considering upgrading to 4G. That begs the question of why there is such a focus when we have so many gaps in current service provision. It is my understanding that, under the Communications Act 2003, the Department can make investments to deal with the extent of telecommunications. As Members said, the Department will initiate a procurement process to allow telecommunications suppliers to offer solutions that will deliver on some of those challenges. That is very important.

Ofcom's infrastructure report contains fixed broadband figures broken down by council area. Before I am accused of being a north-west whinger again, it is important to reflect on the north-west, for example, when we compare Derry, as a connected city, with places such as Limavady.

The figures speak for themselves when 12.7% receive less than 2 megabytes in Derry and 24.7% in Limavady. I also highlight that the infrastructure report shows that 82% of premises in Derry are covered by all mobile operators, but 3% of premises in Limavady are covered by all mobile operators. Those figures cannot be ignored and speak for themselves.

Like everybody else, I welcome the tens of millions of pounds of public money that has rightly been invested in improving rural broadband since 2007. We now need to look at all forms of technology and exploit it to find out what can best improve the situation. As was stressed, fibre-optic cabinets may help, but they will never deliver broadband to every area required.

In conclusion, I suggest that government policy needs to enhance telecommunications rather than prohibit it.

**Mr G Robinson:** Broadband provision in rural areas has been difficult in all constituencies. One of the most problematic areas is in my constituency. I appreciate that, although the Minister can encourage businesses that provide broadband, she cannot force them to provide the necessary infrastructure. It is also worth noting that the many billions of pounds to provide the high-speed broadband infrastructure are not currently available to the firms.

I am aware that high-speed broadband is an infrastructure item that inward investors look for when citing a business expansion. With so much business being done online, it is seen as a must for investing in mainly rural areas. There is a former MoD base at Ballykelly in my constituency. As we seek to develop the site after DARD's proposed relocation, high-speed broadband would be one of the items on the shopping list. The range of businesses requiring high-speed service includes R&D, entertainment, call centres and design. All those areas have the potential to create high-value employment for the areas that they locate in. Therefore, high-speed broadband would be desirable where at all possible. If there is any way in which the Minister can assist the provision of high-speed broadband services, I feel confident that it will be beneficial.

In the north-west, we really are open for business. We want to provide every possible inducement to potential investors. I ask the Minister, as a priority, whether it is possible to prioritise areas for the provision of high-speed broadband connections to enable business start-up, expansion and investment to become a reality. A Member mentioned problems in Limavady, and I agree that there are problems there.

Whatever the outcome of today's debate, I hope that the Minister will explore whether any further assistance can be given for the provision of this much-sought-after business infrastructural necessity.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le moltóirí an rúin as é a thabhairt faoi bhráid an Tionóil. I thank the proposers for bringing the motion before the Assembly.

Although the motion is about harder-to-reach rural areas, it has to be acknowledged that there has been considerable investment by the Department and, to some extent, DARD to help and support the roll-out of higher-speed broadband.

Nevertheless, I think that what probably motivated the motion was that many areas, particularly but not

exclusively rural areas — I will come to that in a minute — are hard to reach. Some of our towns still have significant problems, but I will stick to the motion.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

#### 4.00 pm

This issue is causing problems. Aside from normal consumers and family members in households, schoolchildren still have difficulty downloading homework, and students have similar problems with their casework. Likewise, some businesses are also having problems, for example, architects and designers who need to download files when working from home. Indeed, in this ICT age, as we seek to develop the potential for software and software development, many people could do that type of work from home. However, to do that, they need the support of good broadband services.

Other businesses, such as those in the agrifood sector, need good broadband services for the transmission of data, particularly temperatures, feeding, watering and other conditions. In hen houses, for example, data feeds from a number of hen houses into one central base, and up-to-date and exact information about feeding, watering and the like is crucial to the end product of good food.

As mentioned, a major investment delivered some fibre-optic transmission, which has been of tremendous benefit and given a boost to many areas and businesses. However, there are other areas where problems remain despite that very significant and welcome investment. The UK Government, through Broadband Delivery UK, have made funding available to allow for a basic broadband service of 2 MB per second, and DARD recently made an investment in rural broadband delivery. Earlier today, the SDLP had an amendment to ensure that that would be done in a complete context, given the nature of the motion.

Obviously, there is a variety of options at the moment, be they satellite or other types of new technologies such as wireless or whatever. However, the reality is that many of those technologies do not reach people in rural areas. Mr McCrea and Mrs Overend mentioned the problems in Mid Ulster, and there have been a number of particular problems and difficulties along parts of the Tyrone lough shore and the Sperrins area of south Derry.

Scotland clearly has an ambitious plan for digital connectivity, which is aligned with a target of delivering broadband coverage at a speed of 30 megabits per second to all by 2020. That aligns with the European Commission's digital agenda for Europe, which has the same target. That significant work contextualises the huge task ahead of us, which is to roll that out and come somewhere near those targets for constituents of mine and others.

Of course, when we discuss broadband and the facilities that it provides to us, we always have to look at the technology in our hands: mobile phones, particularly smart phones, are being increasingly used to conduct business of multiple types. I spoke earlier about software development, and the variety of apps available on smart phones never ceases to amaze me. To make sure that those apps work, we must have good connectivity.

On 21 January, the Minister told us that, at 88%, Northern Ireland was the third lowest for outdoor 2G mobile services and, at 55.9%, the second worst of England, Scotland,

Wales and the North for 3G. We are now preparing for 4G, and, hopefully, most of it will be delivered by the end of next year. I have met EE, and, over the past six months, it has invested very significantly in upgrading the 3G network, and 4G remains with it —

**Mr Deputy Speaker:** The Member's time is almost up.

**Mr McGlone:** Sure. However, it still has to be delivered. On that note, I support the motion.

**Mr B McCrea:** I am afraid that I cannot support the general goodwill towards DETI on the issue. I am rather disappointed by the progress that we have made. The top four of 200 local authorities in the UK surveyed by Ofcom for broadband black spots were Omagh, Fermanagh, Dungannon and Cookstown, and 10 of the top 20 were in Northern Ireland. There seems to be something of a problem in the way in which we are approaching the issue.

In looking at the progress of UK broadband projects, I note that Scotland managed to close its consultation on 28 November; that the Highlands and Islands — part of the Scottish allocation — finished their consultation on 14 January; and that Wales completed its consultation on 23 February. You may ask why those dates are important. The answer to that is because Northern Ireland closed its consultation on 12 October. However, the other three jurisdictions that I mentioned are in procurement. They have been through their consultation process and are actively placing service.

There are many areas in Northern Ireland without broadband, and not just the ones that I highlighted. Even in my constituency, people in the likes of Magheraconluce simply do not understand why they cannot get broadband. Therefore, there seems to be something of a problem. I wrote to the Minister of Enterprise, Trade and Industry about when she would be able to publish the results of her consultation. She wrote back to me on 10 December and said that it would be published on the Department's website by the end of 2012. We are now in June and have not yet had the consultation published. I have written repeatedly to the Minister asking her what the problem is. The general position seems to be that there was a mistake of some sort in the consultation process. I invite the Minister to explain what it was.

**Mr Storey:** I thank the Member for giving way. Given that he said that he has repeatedly written to the Minister, will he confirm whether those letters came from his Lagan Valley constituency office, where he is having connectivity problems?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr B McCrea:** I am not sure what that point added to the serious debate that we are having. I will carry on with my questions for written answer, which are a matter of record and the Member is free to look at.

However, on 2 January, the Minister wrote to me and said:

*"I anticipate that a contract will be in place in 2013".*

Given that we have not yet published the results of our consultation and are now in June, that seems to me to be a challenge. I wonder whether the Minister will confirm whether she anticipates a contract being in place in 2013.

I also had correspondence from the Minister on 26 March. She told me about the state aid rules and said that they

were updated at the end of January 2013. However, I also have information that BDUK gave clearance to a range of issues, at the behest of the European Commission, in an umbrella agreement in November 2012. I cannot understand, Minister, why it is possible for Scotland, the Highlands and Islands and Wales to move forward, yet we are still not able to get our procurement issues sorted out.

Finally, I have a letter from the Minister dated 21 April, in which she states:

*"It is my intention to publish a document in the near future that will ... detail ... responses received".*

Perhaps the Minister will tell us what "the near future" means. Will she give us a date when she will do that? The letter also states that she will:

*"provide a final opportunity to help determine the area of intervention, in accordance with State Aid rules."*

Does that mean that we have to go through the consultation process again, or are there some other issues that we want to address?

It is not an issue for just that Minister to address. From the rural point of things, it is also one for Minister O'Neill, who said in response to a question raised by the Enterprise Minister's colleague Mr Craig:

*"The BDUK project deadline is 2015, but they"*

— presumably BDUK —

*"tell us that, as soon as they get on the ground and start working, which will be some time after next month, they will be in a position to deliver a lot quicker than that." — [Official Report, Bound Volume 85, p242, col 1].*

If there has been a mistake in the consultation process, I would rather the Minister came forward and told us what that is, that we resolve the matter together, that we try to get broadband into rural areas as quickly as possible and that we all work together for the betterment of the people of Northern Ireland.

I have —

**Mr Deputy Speaker:** Would the Member bring his remarks to a close, please?

**Mr B McCrea:** I have not brought this forward in any form of attack. I am merely asking the Minister questions, because I have written to her repeatedly but am not getting answers. The people of Northern Ireland deserve answers.

**Mr Storey:** I support the thrust of the motion.

I wonder whether the proposer of the motion will clarify to the House whether the mobile coverage he had when he was protesting against the G8 last night was of sufficient strength. Is that something that he has come to the House today to complain about? Maybe his expertise in this matter is gained from his former employment at Carphone Warehouse. I honestly think that he should have started with his own Minister.

It is not often that I find myself in agreement with Basil McCrea: I need to be very careful going into that territory, because people might think that I have some idea of moving parties. Let me scupper that completely: I have no intentions of that; I am quite content and am staying

where I am. It was the last point he made in relation to the ARD Minister. A few weeks ago, we had an announcement from the ARD Minister that £5 million was being given to the rural community in relation to this issue. We heard in a recent statement that the ARD Minister met BT on the issue; but where is the delivery? Have farmers in the rural community of north Antrim been identified and informed that, somehow, the ARD Minister is going to help meet their needs and come to their rescue?

Telecommunications is an ever-moving technology. Northern Ireland needs to continually reassess where it is with regards to the telecommunication provision that we have.

**Mr Flanagan:** Will the Member give way?

**Mr Storey:** Yes, I will give way. It will give me another minute.

**Mr Flanagan:** I thank the Member for giving way. The Member asked whether the ARD Minister has given £5 million to the rural community. The information I am aware of is that the £5 million set out by the ARD Minister was actually given by DETI to help the scheme that it is taking forward, not for the Minister to hand directly to rural communities. The point that Mr McCrea highlighted is the reason why the DARD £5 million has not been implemented yet. It is not because the Minister has not gone around north Antrim handing it out to individual farmers; that is not how it works.

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr Storey:** That is not how it is being presented by the ARD Minister in press releases. I will stand corrected, but I did not think that there was much reference — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Storey:** There was little reference to DETI in the press release that came from the ARD Minister. It was as though the ARD Minister was going to be the person responsible for that provision.

We need to ensure that we continue to make progress on provision where there is an identified need. Other colleagues have clearly identified the need in their own areas. My party colleague Mr McIlveen, from our constituency of North Antrim, has highlighted the particular issues for families and young students. He and I and our colleagues in North Antrim have had useful discussions with DETI — I commend the Minister and her officials for the way that they have responded — particularly with regard to mobile coverage in Dervock in north Antrim, where coverage is not just abysmal, it is not even present.

I also welcome the assistance of Ofcom in working to ensure that the operators provide a service and step up to the mark so that, when you come into the village of Dervock in north Antrim, you have a signal. Currently, when you reach the 30 mph speed limit sign in the village, the signal completely disappears. The lack of provision for that community is totally and utterly unacceptable.

**4.15 pm**

I commend my colleague Mr Rogers — he is not in the House at the moment — who sits on the Education Committee. He gave a very good overview of the issues that face rural communities, particularly farmers, students, families and schools. I have no doubt that the Minister will

tell us, when she replies to the debate, the further steps that need to be taken to keep Northern Ireland moving forward so that we get to the right place in relation to telecommunications, both in broadband provision, which is good for our economy in both rural and urban situations, and in mobile coverage.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I thank the Members who brought the motion to the House. We have had many opportunities to discuss telecoms in the House, but I am more than happy to come to the Floor. I think that I indicated to the House that I would not be available today but, when I saw that Phil Flanagan had tabled a motion on telecoms, I made sure that I was here to answer it, and I am very pleased to do that.

I am happy to agree that there is a continuing need for further improvements in broadband infrastructure both in rural and urban areas. Nevertheless, I think it would be useful to remind Members that many telecommunications matters are reserved — I think Mr Flanagan made that point himself — and that my Department has only limited powers to intervene in what is a privatised and independently regulated market. It is regulated, of course, by Ofcom. Although public funds can be used to encourage private sector investment, it is ultimately a business decision for providers to decide how or whether they wish to participate in any joint venture.

I am a little bit disappointed by the second part of the motion, which fails to recognise that we have been working regularly and extensively with stakeholders, both those who deliver services — I think that I have had more meetings with telecoms providers recently than at any time — and those who receive them. That point was made by Mr McCrea. I have met many delegations from right across Northern Ireland about difficulties with broadband or mobile signals.

The motion does not recognise that issues of need have to be balanced against technical viability and value for money. If we intervene, it will be with public money, so we need to ensure value for money. Members also need to appreciate that I cannot compel a broadband provider to invest in a particular area or indeed what charges they can apply. We can encourage and try to cajole broadband and telecoms providers to work with us, but we certainly cannot compel them to make those changes.

Despite all the constraints that I have mentioned, over the past four years we have channelled some £45 million of government money into initiatives aimed at stimulating improvements in the reach, speed and quality of broadband services across Northern Ireland. In that regard, the latest infrastructure report produced by Ofcom has pointed to the success of our next-generation broadband project in contributing to the availability of superfast broadband services right across the region. That report is worth reading and I encourage Members, particularly certain Members, to do that. At 95% of premises, we in Northern Ireland have the highest superfast broadband availability of the four UK nations.

That is not me saying that; the regulator is saying that. Colleagues need to acknowledge that.

Furthermore, Ofcom has reported that the average connection speed in Northern Ireland has more than doubled in the past year and is now the highest in the UK; that the percentage of premises with connections receiving

less than two megabytes has significantly decreased, by some eight percentage points; and that the region has the lowest percentage of premises in potential broadband not-spots at just 0.6%, which is less than half the UK average. I am not saying that, if you are in that 0.6%, it is not frustrating; of course it is frustrating, which is why we are looking at ways to intervene.

Those achievements are notable and laudable, but I have to recognise that the market is very fast-moving, that the technology is changing and that the requirements of the end user are ever increasing — a point made by Mr Lunn — with the effect that broadband access in some areas is not keeping pace with demand. That is why we are committed to looking at further ways of increasing the availability of high-speed broadband. I talk about availability: we have noticed that there has been a roll-out of superfast broadband, but the take-up in some areas has not been as high as some of the providers had anticipated. I do not know whether that has to do with price or whatever, but some of the technology that is already there has not been taken up.

My officials are progressing a project aimed at achieving universal access to standard broadband services with a minimum download speed of two megabytes and at providing superfast broadband to at least 90% of premises with speeds in excess of 24 megabytes by 2015. We proposed a potential area of intervention and engaged with the industry and the public late last year, as we heard from Mr McCrea's précis of my correspondence with him. We wanted to affirm where we should intervene.

We have heard a lot about the other regions and how they have finished their consultations, but we need to acknowledge that the reason why they have finished their consultations and are going out to tender is that they are further behind than us on broadband interventions and, therefore, there is more scope for intervention. I want to put it on record that there has absolutely been no mistake. I know that some people in the Chamber are desperate for headlines, but I am sorry to disappoint them: there has been no mistake in relation to the ongoing consultation.

Members need to be aware that the process, by its very nature, is subject to continual refinement from the market and from consumers. It is also important to note — it is sometimes missed in the House — that we need to comply with state aid rules, so that whatever we put forward complies with European regulations. I hope to publish the outcome of that engagement soon, coupled with details of our refined intervention area, which of course will be subject to consultation so that everyone can have the chance to intervene again.

It is important that we get it right. I do not want us to intervene in an area where the providers have already intervened, meaning that there is a double intervention, which is not allowed under state aid rules. I will not be engaged in that, because I want to be engaged in interventions that will have the maximum impact across Northern Ireland.

**Mr B McCrea:** Will the Minister give way?

**Mrs Foster:** I will, if it is a sensible point.

**Mr B McCrea:** Is the Minister aware that the European Commission state aid SA 33671 UK 'National Broadband Scheme for the UK — Broadband Delivery UK' was agreed

in November 2012? Are we part of that agreement for state aid, or do we have some additional hoop to go through that others do not?

**Mrs Foster:** It is not a matter of an additional hoop to go through; it is a matter of making sure that our intervention is state aid-compliant. Of course, the policy has been agreed. The policy context has been agreed for this area, otherwise we would not have been able to consult in the first place. We need to make sure that there are no double interventions, that we intervene in the appropriate places and that the European authorities are content. The last thing that we want to do is to have a breach of state aid. Then the whole thing would grind to a halt, and we would not get anywhere.

If the Member would like to speak to my officials — I make the offer genuinely to him — about this whole area, I am more than happy to accommodate him. That would, perhaps, be a better way of doing it than has happened heretofore. I am happy to accommodate him any time he wants to come and have those conversations with officials.

A further project is being considered to improve 3G mobile coverage and lay the platform for the widespread delivery of 4G mobile services across Northern Ireland by 2015. Because of the broadband-carrying capabilities of those technologies, there is also potential for them to be used as an alternative in areas where services delivered using the more traditional technologies continue to present a challenge. Mr McCrea referred to the fact that he had a constituent with a cabinet across the road who could not get the service. It is difficult to understand why such people are unable to access those services, but they are connected to different wires, which come from a different box. The problem is that the wires are static in the ground and cannot be changed, whereas mobile technology can accommodate some of that demand. So, I hope that we can use some of the new mobile technology to make a difference to connectivity across Northern Ireland. The intervention area for that project will also be informed through a public consultation.

I will not have a chance to answer all the points that have been made. It is a familiar story. We all have constituents who have difficulties with broadband. I sympathise with those people of course. We are trying to make a difference through the interventions that we make. I take issue with Ms McLaughlin's point that our policy should enhance rather than prohibit: I do not prohibit the advancement of telecoms. I want to put that on the record. We are trying to make a real difference to telecoms in Northern Ireland. I look forward to going up with another Member, Mr Robinson, to Limavady on Thursday. No doubt, all the businesses there will have the opportunity to speak to me about their individual difficulties.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom buíochas a ghabháil le Comhaltaí as ucht a n-inchuir sa díospóireacht inniu. I will speak in favour of the motion. I welcome the contributions from Members who spoke in the debate.

I will start by responding to some things that the Minister said. She is right to say that this is a familiar story. However, each story is individual to the person telling it. I read a press statement about 18 months ago about a certain company receiving funding to address the issues around broadband in rural areas. It mentioned three or four

counties in the North. So, rather than run to the Minister to find out exactly what it was about, I decided to contact the company. I set up a few meetings with my colleague Conor Murphy to try to get that company and others to make presentations in rural communities so that we could hear exactly what was going on. Three companies turned up on the night. The topic discussed was satellite and wireless technology and the money that was given to those companies to address the issues around that technology. Eighteen months later, I am still waiting for answers and people are still contacting me.

I have been engaging with the Minister. I have asked for a meeting, and she has committed to meeting me. I recognise the work that has been done, and the Minister has outlined the work that she has done. However, in my experience, there is a lot of work to be done in Newry and Armagh. I want this matter put to bed, and I want the equality issue brought onto the agenda: these people should have the same rights and the same access to services as everybody else. Clearly, they do not. We can talk about 3G, 4G and 2G, but there are people who are still taking their children into an urban setting to print off documents, finish off exams and everything else.

I have been here for six years, and we have had this debate three or four times. I welcome the Minister coming to the debate, and I am sure that it can be frustrating. Some Members said how frustrating this issue is. It is frustrating when you have to go back, time and again, on the phone to talk to constituents who keep asking, "Where are we at?". I have three or four e-mails here, and I will go through some of the points in them. I will also try to get to some of the points that Members made.

#### 4.30 pm

Mr Storey, who is away now, was correct when he talked about students, farmers, businesses and rural businesses. Sean Rogers was the same; he mentioned rural businesses and support. In this climate, when nearly every other motion over the past number of weeks has been about economics and trying to grow the economy, rural businesses are finding it very hard to be competitive. This provision is vital to enable those people to access a proper broadband speed. I watched the Minister carefully during the debate and listened to her respond to some of the comments from Members. This is the first time that I have had a good opportunity to speak about broadband, and I will meet the Minister after this to discuss it.

I want to give you some idea of what is happening in the constituency. I will pass on the details of some of the businesses that have contacted me to the Minister. One business has offices in Armagh, Dublin, Cork and Manchester. They get large e-mails and try to talk on the phone, because that is their only means of communication. They try to read the e-mails and discuss the issue with people in Manchester and Dublin, but the line keeps breaking up. That is not acceptable. One Member mentioned the fixed line. Nearly every house in the country has a landline. I want you to think about that. We have new terms such as "not-spots" and "POPs", which are points of presence, as the Minister is well aware. So much money was given to BT to address some of the issues. It picked out the easy bits — the urban settings — that they could deal with. We are now left with isolated spots in the rural areas, and we cannot address them.

There are stories from people saying that they cannot access Skype and cannot do business. It is not only businesses; it is individuals as well. The Minister answered a question here — I do not know how long ago it was — about a review of the money that she had given to a certain number of companies. She was to come back here and tell me when that review was to be carried out, but I have not heard anything back. About 15 businesses and rural individuals in a five-mile radius keep coming to me about broadband access. They still cannot access it.

I welcome the £5 million intervention from the Minister of Agriculture and Rural Development. Unfortunately, I am speaking last in the debate, but I want you, Minister, to come back to me about that £5 million at some point. Will you ensure that the moneys that will be spent will be used to address the gaps and the lack of broadband provision in rural areas?

I want to pick up some points that Members made. Mr Flanagan talked about some issues with the tendering process, and I had hoped that the Minister would respond to that. Maybe she will come back in writing on that. I do not know where we are at now with the three companies that I was dealing with that got money to provide broadband. That still has not happened. Are there problems with the tendering? I do not know. You can look in Hansard at the point that Mr Flanagan made about the tendering process.

Mr McIlveen hit it on the head when he said that it was frustrating. It is not only frustrating; people are paying for poor broadband speed. I do not understand why that is still acceptable. Mr Rogers talked about rural businesses. I agree with him: we hear about that all the time. We can talk until we are blue in the face. I can see that the Minister is frustrated, and we obviously recognise that a lot of work is done through her office —

**Mrs Foster:** Will the Member give way?

**Mr Boylan:** Yes.

**Mrs Foster:** The Member can say all that he likes about contracts, and I will look at Hansard to see what Mr Flanagan actually said. I thought that he was talking about the ongoing consultation, not the previous tenders. Those tenders have all met the conditions that were set down for them. Will he accept that, without the intervention of those companies, whether Onwave or whoever and, in particular, BT — there has been a lot of talk here today about BT not delivering — and of the Department, we would not have the infrastructure that we have?

**Mr Boylan:** I thank the Minister for her intervention. I agree about the work that has been done, and I will maybe stand corrected about the tendering process. However, I will say this about the moneys that were given out: I invited these people — you are right: you can talk all you like about how it is up to them whether they take it or not — and they were willing to come out and engage with the public. I am talking about accountability for public moneys. We gave money to address the issues, but they have not been addressed. They could have stayed away, and that would have been grand. If you feel, Minister, that you have done your bit where the review is concerned, all that I am saying to you is that those companies have not gone back to the individuals I have engaged with. So, in the future, when we are dealing with the contracts, maybe there should be more accountability.

*Question put and agreed to.*

*Resolved:*

*That this Assembly welcomes the investment by the Executive in improving access to high-speed broadband; recognises the continuing need for improvements in broadband infrastructure in many rural areas; and calls on the Minister of Enterprise, Trade and Investment to work with local stakeholders to identify the areas that are in greatest need and to target investment on those areas to provide equitable broadband speed, cost and reliability.*



## Road Improvement Schemes

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. As two amendments have been selected and are published on the Marshalled List, an additional 15 minutes have been allocated to the total time. The proposer of the motion will have 10 minutes to propose and a further 10 minutes to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Before we begin, the House should note that both amendments cannot be made, as they are mutually exclusive. So, if amendment No 1 is made, the Question will not be put on amendment No 2. I hope that that is clear.

**Mrs Overend:** I beg to move

*That this Assembly notes the current position of the A5 western transport corridor scheme; further notes that the construction of the corridor was an Executive commitment; and calls on the Executive, given the substantial delay in the scheme, to provide immediate support to the Minister for Regional Development to progress other road schemes in place of the A5, including the A6 Randalstown to Castledawson dual carriageway, the A26 Glarryford to Drones Road dual carriageway, the A31 Magherafelt bypass and the A55 at the Knock Road, Belfast, to support the local construction industry.*

Thank you very much, Mr Deputy Speaker. It goes without saying that the motion is important, so it follows that the debate is also very important.

The difficulties encountered by the A5 scheme, which I will return to, have created a huge opportunity to pick up and run with other schemes that are procurement-ready, that may begin ahead of the A5 and that would best support our local construction industry. We all know that no scheme can move beyond the procurement-ready position unless a commitment to funding is made. So, the purpose of the motion is to present the Assembly with an opportunity to say what commitments should be made.

It is worth bearing it in mind that progressing roads infrastructure projects makes a real, positive difference to the economy.

We get the short-term benefits of solid employment and the longer-term benefit of a reliable infrastructure and a significant economic driver.

I accept that my party colleague the Minister for Regional Development is not simply free to re-profile the funding of the A5 and that he requires the support of the Executive to do so. I put the challenge to the parties of those Executive Ministers: do they support the projects that we specify in our motion? If they do, can we expect the Ministers from those parties to act accordingly at Executive level?

Today is an opportunity for the House to support our local construction industry by supporting the motion and to say very clearly to the rest of the Executive that we should not sit around waiting for the A5 to happen. When or if it happens, this is about taking the right decisions and taking them early. We would be failing that very construction industry and the people working in it — from quarrying

to design to building — if we were just to say no to the credible alternative options available. Surely it is better to focus on progressing schemes more broadly than to focus narrowly on delivering a single scheme, irrespective of delay, and the consequential impact on the economy.

I say that despite having my local schemes very much in mind, primarily in Magherafelt and Cookstown. I am not shy in making clear the virtues of schemes that are local to me. The Magherafelt bypass features in the motion, along with a number of other sound schemes because they are procurement-ready. That means that, if the Executive were to give the go-ahead, we could commence work on some if not all of these schemes next year. That means that, next year, we could have workers employed on the ground, supporting jobs and the economy.

The Magherafelt bypass has been sought after for many years. Its local benefits of improved journey times, reduced congestion and the improved quality of life for people in Magherafelt are clear. Indeed, on Friday, I again met members of Magherafelt Chamber of Commerce, as did other local representatives who are here today. They clearly outlined research that has been undertaken to show that traffic congestion in the town centre would reduce by 25% and that congestion on the A31 road from Castledawson roundabout would be reduced by 35%. Without a bypass, Magherafelt is a very congested town with average daily traffic of 24,893, which is 3,000 more than the A6.

I congratulate my Ulster Unionist colleague Danny Kennedy for getting the scheme to a procurement-ready position, and I urge other Executive Ministers, in particular the Minister of Finance and Personnel, Sammy Wilson, to get behind him and the Magherafelt bypass scheme with not only an early funding commitment but an immediate one. I also take the opportunity to urge the Finance Minister to support the calls for the 10% top-up compensation for landowners, in line with Westminster.

I am less interested than others in the blame game of why the A5 became a stalled scheme. It must be difficult for Sinn Féin to stomach the fact that the scheme that it lauded found itself with a substantial delay, based on the decision taken when its man Conor Murphy was in charge. I know that it is a sensitive spot and that sensible discussions on alternatives may make things particularly uncomfortable for Sinn Féin, but these decisions and discussions need to take place.

Some time ago, I referenced the work of the Institute for Public Policy Research (IPPR) on the importance of infrastructure for the economy. At a point in time when austerity and cuts were being held up as the only agenda, the IPPR presented a more sophisticated argument. It argued that the Government could take advantage of historically low interest rates by borrowing £30 billion for investment in infrastructure at a cost of just £150 million a year. This investment, it was argued, would act as a huge economic stimulus and provide an infrastructure legacy that would create a positive environment for business, focusing on transport and improving the movement of goods, services and people. I accepted that argument, and Boris Johnson also agreed with it. It is important that the argument is made once again here this evening.

**4.45 pm**

Let me turn briefly to the proposed amendments. I take no issue with the SDLP amendment as it acknowledges the need to consider alternatives seriously, and the economy is not best served by being rigidly attached to a single proposal. I understand that they are seeking to argue for additional schemes, despite the fact that they may be some way short of the procurement starting line.

In contrast, the DUP amendment will be a body blow for the local road construction industry and the many people involved in related industries. I was surprised that the DUP tabled such an amendment, and I look forward to DUP members trying to explain why they no longer believe that the projects mentioned are worthy enough to be specifically considered. Their inability to put their name to sensible road projects in a number of constituencies, mine included, is disappointing to say the least. It is disappointing that such a party political amendment has been tabled when we need to be working together to lay the foundations for future economic activity.

**Mr Newton:** Will the Member give way?

**Mrs Overend:** You will get your chance in a wee second.

When dealing with jobs and the economy, we should rise above party politics. Decisions should be level-headed and objective. That means taking the best possible decision for our regional economy at all times. We all know that levels of economic activity continue to be disproportionately high in Northern Ireland compared with elsewhere. We all also recognise that improving our regional economy and regional economic prospects is a tremendous challenge. That means that we need objectivity and sound judgement. This motion reflects those two important principles, and, in this House, it is our job to ensure that the Executive hold to them. Of course, if that means getting the Magherafelt bypass under way next year, my constituents will certainly not complain. I commend the motion to the House.

**Mr Byrne:** I beg to move amendment No 1:

*Leave out all after the second "corridor" and insert*

*"remains an Executive commitment; and calls on the Executive, given the substantial delay in the scheme, to provide immediate support to the Minister for Regional Development to progress other road schemes until construction work begins on the A5, including the A6 Randalstown to Castledawson dual carriageway, the A26 Glarryford to Drones Road dual carriageway, the A31 Magherafelt bypass, A32 improvements between Enniskillen and Omagh, the Enniskillen ring road and other road priorities in the west and the A55 at the Knock Road, Belfast, to support the local construction industry."*

In the amendment, we outline some schemes that we believe should be a priority at this stage.

The A5 saga is discussed in strong terms in my part of the world. I will not go into the whole history of why the A5 became so important after what happened to the railway in 1964. However, those of us who live in the counties of Donegal, Derry and Tyrone were greatly pleased that as a result of the St Andrews Agreement, a major flagship peace-dividend project was earmarked as a national primary route for joint Government support and action. It was a major achievement that the project was flagged

up as evidence of the economic dividend of peace. To say that we were disappointed by the outcome of the recent court case is an understatement. However, I fully recognise the sense of what the Minister said about not going to an appeal. That was sensible, given that 11 of the 12 issues were successfully dealt with and only the habitats issue was outstanding.

The question now is this: what should happen to the money? Some £113 million was earmarked in the current year to be spent on the project. We do not want the Executive to lose the money to the Treasury, so we must be sensible and realistic. I state again, however, that it is crucial that the A5 project remains an Executive priority. When the outstanding issue is dealt with, I hope that work can start.

There is a road that I refer to as "the umbilical cord": the A32 between Omagh and Enniskillen. It has been in poor repair for a long time, but, thankfully, Roads Service has completed two repair schemes in recent times. The Minister was at the opening of the Shannaragh section in the past year, and it is a very welcome development. Given that other outstanding sections of the road are in a very poor state — the Esker bog and Cornamuck areas — we hope that the Department will advance schemes in the coming year to address the difficulties on those sections of the A32.

We earmarked other road projects in the amendment because we believe that the money was allocated to the Department for Regional Development (DRD) and, in particular, road infrastructure. I support what Mrs Overend said about what road infrastructure projects can do for the construction industry and the local economy. We have mentioned the A6 Randalstown to Castledawson dual carriageway. Those of us who travel on that road realise that it is a bottleneck, and we hope that something can be advanced there. I totally agree with the need for the Magherafelt bypass. It has been in the planning for a long time and hopefully can be advanced.

Given that Fermanagh is featuring strongly on the world stage, the ring road around Enniskillen is crucial, and other sections of roadway in the area are vital for the development of Enniskillen as a tourism and economic centre.

We have also referred to the A55 road at Knock, in case I am accused of being very parochial. However, in the spirit of what is happening with the overall economic development of the region, it is important that those projects be advanced at a time when there is a crying need for construction work and development to commence.

Last week, the Minister of Finance said that over 50% of all capital construction work comes out of the public purse. If we can use the £113 million this year, hopefully a number of projects can be started and construction employment can be increased.

I do not want to rehash all the A5 issues, but I certainly want to hear a reconfirmed commitment to that project from the Minister. I hope that the Executive collectively will not resile from the A5. I hope that the outstanding matters relating to what did or did not go wrong with officialdom can be rectified. Hopefully, the scheme can be got back on track.

There is not much more that I want to say, Mr Deputy Speaker. My colleagues Mr Dallat and Mr Mark H Durkan will speak later in the debate.

**Mr Spratt:** I beg to move amendment No. 2:

*Leave out all after the second "scheme" and insert*

*"to bring forward suitable capital projects which will improve our infrastructure, provide a much needed boost for the construction sector and be delivered within the available time frame."*

I want to make it clear that I am speaking not as the Chair of the Committee for Regional Development but as an MLA.

My party is not against any of the projects listed in the motion. However, we want to ensure that the funds drawn down are used in a timely manner and do not end up being returned to the Treasury. That is the most important issue in all of this. We must also ensure that there is an even spread of funding across the Province, and we want the Minister to assure us that all schemes across the Province have been looked at in the round.

As has been mentioned already, it is estimated that £113 million must be spent in this financial year. It is no secret that the Minister has already requested £61 million for DRD in the June monitoring round. It is interesting that Mrs Overend said that all the projects were procurement-ready and then went on to say that money could be spent next year. There is still some confusion over whether vesting has taken place on some of the projects, confusion over whether the full procurement processes have taken place and confusion over the situation with the public inquiries into the schemes. The Minister added some confusion earlier this afternoon, which perhaps he will clarify in his remarks, when he spoke about the situation with the A26. He said that it was at its public inquiry stage at the moment and might well be able to go "later this year" — I think that that is the phrase that he used. Given that we have £113 million to spend, and that we need to spend it in this financial year, I would have thought that we need to have shovel-ready projects that will be able to move, and move swiftly now that we are already in this financial year. We need to get the construction industry and everybody else moving. That is certainly our perspective.

The upgrade of the A26 Glarryford to Drones Road would particularly benefit people travelling from Ballymoney, Ballycastle and other areas, as well as those visiting the north-west of the Province. Added to that is the fact that incredibly serious and fatal accidents have happened on that road, a matter that I know my colleague Mr Storey has raised regularly. All that needs to be addressed. However, I am concerned that there is an issue in relation to the public inquiry. The Minister needs to tell us whether all the vesting is in place so that spend could start immediately on those projects.

The motion refers to other projects, such as the A6, the A31 and the A55, but we have to question whether the Department is in a position to start work at those locations.

**Mr Newton:** Will the Member give way?

**Mr Spratt:** I am happy to give way to my colleague.

**Mr Newton:** I thank the Member for giving way. He mentioned the A55 Knock Road in the East Belfast constituency. That has been in the system for 40 years; that is the priority of the project. Having said that, there

was a consultation process and a public inquiry, and the vast majority of the residents who attended the public inquiry and made representation to it expressed their concerns about the A55 going ahead. That was predicated on dozens of properties that had been purchased to make way for the A55 over the past 40 years.

**Mr Spratt:** That is a speech.

**Mr Newton:** I just want to come to this very important point, Mr Deputy Speaker. There was a consultation process. I wonder if the sponsors of the motion took the time to consult with local residents and RACKS, which is the community group in the area, or with the local representative for the Ulster Unionist Party on his concerns about the A55 proposal.

**Mr Deputy Speaker:** I remind Members that interventions should be brief.

**Mr Spratt:** I know one thing, Mr Deputy Speaker: I will not give way to my colleague in future. He has made a speech to the House. I accept some of the points that he has made, and it is for the Minister to answer those points. It raises another issue of whether all the public inquiry stuff has been properly dealt with. The Minister, wrote a platform piece for today's 'News Letter', or somebody wrote it on his behalf. In it, he stated:

*"When I took over as Minister in May 2011, it was clear that I inherited a situation where all the eggs were firmly in the A5 basket".*

He went on to endorse the roads named in his party's motion to the House today. Is the Minister not now guilty of taking all the eggs out of one big basket and spreading them across a number of smaller ones? Is he not restricting the potential for the reallocation of the A5 budget? Are there not other worthy causes, not only within the roads infrastructure but in Northern Ireland Water, which will have massive benefits for the construction industry as well? Can money not be allocated there to alleviate flooding and other things, which is also a commitment of his Department, along with other Departments?

In fact, a number of questions that the Regional Development Minister needs to answer relate to improvements to road infrastructure. Is it possible to use funding for road improvements that was previously allocated to a capital project? Are other projects ready to go in respect of schemes that have not been mentioned today? If so, will the Minister identify those projects to the House? Will he identify whether there are any vesting issues in respect of the projects that have been named today that need to be fulfilled by the Department?

## 5.00 pm

It is vital that these questions are answered so that the funding can be used and not lost. That is the pivotal point of all this. It must be said that the responsibility for the reallocation of the A5 funds does not necessarily rest with the Regional Development Minister alone. The Executive have a responsibility in relation to that. It was clear from comments made by my colleague, the Finance Minister, last week that the Finance Department has been generous as regards the DRD budget in the past two years.

He said:

*“£109 million in 2012-13 and £120 million in 2011-12.”*  
— [Official Report, Vol 86, No 2, p66, col 2].

That was in relation to the roads maintenance budget. That budget is some £800 million in arrears. There is a backlog that would allow the construction industry to get to work quickly. I ask the Minister whether there are shovel-ready schemes with capital money in that budget that can go ahead to improve the roads infrastructure. Has the Department fully looked at the options for how the money can be spent, because roads maintenance is one area where the Department is very good? We know what happened over the winter period, for instance.

Probably one of the major complaints that we all hear, apart from housing and other issues, is the condition of some roads throughout the Province. The Minister has mentioned that regularly, so has everything been looked at for the reallocation of that money? According to the Minister, the A5 scheme is off the table only temporarily. Obviously, money is being spent now that has to be spent: £113 million this year. In future years, however, if it runs on, there will be other issues, so we need to look at all roads.

I have raised quite a number of points on which I hope the Minister will be able to give some answers. On that basis, I am pleased to —

**Mr Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr Spratt:** — recommend to the House the amendment in my name and my party colleagues' names. I ask that everything be looked at in the round and that the money is spent to help the construction industry, which is the aim of all of us.

**Mr McAleer:** Go raibh maith agat. The A5 western transport corridor is extremely important. It will connect the north-west of Ireland to cities such as Belfast and Dublin. It is also an important internal east-west link within the Six Counties. It is not a road to nowhere, as some commentators would have us believe.

The A5 dual carriageway is essential for the economic development of the north-west. Informed predictions suggest that it could be worth around £1 billion to the economy and could provide hundreds of jobs during its construction. According to the Institution of Civil Engineers, every £1 invested in infrastructure generates an average of £2.84 for the economy, and for every £1 million invested in infrastructure, 28.5 jobs are created. The benefits are very clear.

The construction sector has taken a massive hit. We met the contractors directly affected by the A5 decision and, more recently, the Quarry Products Association. Thousands of workers rely on strategic roads projects such as the A5, but are now forced overseas to work or to join ever-increasing dole queues. We also recently met the president of the NI Chamber of Commerce and the chief executive of Enterprise NI. Two of their six key priorities include lobbying for the green light for strategic projects and the promotion of trade overseas. Within that strategic context, the A5 western transport corridor is the biggest single infrastructure project on this island. That is acknowledged by the chambers of commerce along the route, which have been working hard on the campaign.

The A5 delay is having a wider impact on regional development across the island, as we are in the most westerly part of the EU. It is particularly affecting the N2, N14 and N15. That topic will be dealt with later in the debate by Seán Lynch, our party's regional development spokesperson and Deputy Chair of the Committee for Regional Development.

Alternatives to the A5 have been suggested online, such as an upgrade to two-plus-one standard. According to the public inquiry report, however, there are over 1,300 accesses and entrances along the existing A5, and each is an accident waiting to happen.

An online solution, or an upgrade, would require the bypassing or the vesting of homes and businesses in settlements such as Sion Mills. Indeed, everyone has the right to use the road. That includes families who live along that road, and strategic traffic that is making its way to the major cities on the island. However, it is the interface between the strategic and local traffic that gives rise to frustrations, tailbacks and risk-taking. The construction of a completely new carriageway to separate the strategic and local traffic would reduce journey times and make travelling a great deal safer for everyone. Along with the new dual carriageway, the current A5 will be maintained as an A-class road.

Unfortunately, the A5 has taken many lives over the decades. Anyone who has browsed the comments left on the action for the A5 online petition will not have failed to be moved by the very personal stories of people who have lost loved ones on that stretch of road. It is a fact that road safety increases as the quality of the roads improves and that dual carriageways are safer than single carriageways. Indeed, according to statistics provided by the PSNI to the 'Ulster Herald', there were 97 recorded collisions on the A4 between 2005 and 2010, with, unfortunately, nine people losing their life. Thankfully, since the A4 dual carriageway opened at the end of 2010, no one has lost their life on either the existing A4 or the A4 dual carriageway, and recorded collisions dropped dramatically to two and six respectively by the end of 2012.

On economic, social and safety grounds, there is very little alternative to the A5, and it is imperative that the single issue relating to the EU habitats directive, which is currently delaying the project, is dealt with swiftly and competently so that the project can get back on track.

With regard to the motion —

**Mr Spratt:** I thank the Member for giving way. The Member has mentioned the habitats directive. I notice that attempts are being made to move the blame to previous occupants of the Department for Regional Development, but is it not the same officials in the Department who should have dealt with that, no matter who the Minister was?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr McAleer:** Thank you. Yes, I agree with the Member; that was a very good comment. I understand that it is being dealt with. We picked that up through the Regional Development Committee; it is being overseen by an independent third party body. It is something that the Minister will probably want to pick up on as well.

I move now to the motion and the amendments. According to the latest ISNI reports, and, indeed, comments made earlier today in the Chamber by the Minister, virtually

no strategic projects will be shovel-ready by the end of 2014. If the motion and amendment No 1 were to be implemented, it could increase the risk of all, or part, of the £100 million-plus reduced requirement from the A5 western transport corridor not being spent on projects in the Six Counties this year and, in fact, being declared back to the British Exchequer and lost to the local road-building industry.

**Mr Deputy Speaker:** Will the Member bring his remarks to a close.

**Mr McAleer:** Amendment No 2 recognises that it is for the Executive to decide which capital projects should be brought forward to improve our infrastructure and to give a well-deserved boost to our local construction industry. In that context, Sinn Féin will be supporting amendment No 2 and voting against the motion and amendment No 1.

**Mr Dickson:** I welcome the opportunity to participate in the debate. I also rise to speak in support of amendment No 2. Coming from east Antrim, I am in a reasonably good position to understand the consequences of delays and hold-ups in a major road scheme, the A2 having taken decades to get to the point that it is acknowledged, Minister, it is getting to today. Along with all my colleagues in Carrickfergus Borough Council, I continuously lobbied for over 30 years to keep that project alive. I trust that those in the west will not have as long to wait for their project to commence.

However, following various legal proceedings which are not the subject of today's debate, the A5 may not be going ahead for a period or into the future. As that project is currently in limbo, I think everyone can agree today that what we should be doing is considering how we use that money for alternative projects. That is what today's debate is about. It is very clear: there should be no question of the money being returned to the Treasury, as it was, and has been, allocated to Northern Ireland and should be spent in Northern Ireland on appropriate and beneficial schemes. As has been said, due to the differing budgetary rules, this money must be switched only to other capital projects and, given time constraints, they have to begin relatively soon. Hence, the much-hackneyed term, "shovel-ready projects", which has been used in the debate already.

The motion and the two amendments share the same sentiment. We are not that far apart on those matters. However, for simplicity's sake and maximum freedom to choose the best projects, we prefer the wording of amendment No 2. I genuinely have concerns about the inclusion of name-specific road projects. Although it is tempting to attempt to prioritise them, we would prefer that, rather than a list of projects outlined in the motion, the best-value-for-money and readiness test would be applied across a broad range of projects and Departments, as well as all of those projects.

**Mrs Overend:** Will the Member give way?

**Mr Dickson:** Yes.

**Mrs Overend:** I just want to clarify a point. Compare the motion and the second amendment. First of all, our motion asks for support for the Minister for Regional Development to progress other roads schemes in place of the A5 scheme, including the ones that we have listed. One can, therefore, add other schemes if one wants to do so. We just wanted to include those specific ones. I will have to

intervene again because I cannot remember what my other point was.

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr Dickson:** Thank you. I acknowledge the point. I will address it shortly.

We know the problems that face the construction sector and the boost that it gets from major capital projects. That is why the Assembly should not constrain itself to a pork-barrel list of road projects. Instead, we should make the money that is released from the stalled A5 scheme available to all capital projects. I acknowledge that that is in the motion.

**Mrs Overend:** I will come in again, if the Member will let me.

**Mr Dickson:** No. Thank you. I need to finish this.

It is for that reason that I genuinely believe that we should make that money available not only for road projects but for other Executive projects, such as the upgrading of healthcare trust homes, work that would benefit the construction industry, and the public transport system, to which I will return in a moment.

Despite the potential extension to the Assembly's mandate, there is still a very tight turnaround time within which to give large projects the go-ahead. We do not want to get bogged down in arguments over whether a project was included in an Assembly motion. Given public transport's place as the poor relation to roads, we should not limit ourselves just to road schemes.

**Mr Byrne:** Will the Member give way?

**Mr Dickson:** I am nearly finished.

We should look to see what capital projects for cyclists, buses or trains await funding, all of which could prove beneficial to the construction and other indigenous industries in Northern Ireland. For those reasons we will support amendment No 2.

**Mr Girvan:** I speak in support of amendment No 2. In doing so, I want to refer, as my colleague did, to the article in today's 'News Letter' which calls for immediate support for other roads projects, namely the list of four. I appreciate the intervention about the motion including other schemes. However, the point is that, as has already been indicated, the four road schemes that are mentioned could not start until 2014-15, which is the next financial year. That is referred to in the article, if it is correct. If that is the case, why do they need immediate support, because support cannot be given to those schemes.

In light of that, if that were the case, what did the Department intend to spend on those schemes in the current financial year? Perhaps, the Minister could refer to that in his response. I would like to find out what the Department intended to spend out of its budget for the current financial year if it had not believed that it would have the windfall of £113 million for a project which, because of the courts, has not got the go-ahead. We know that, perhaps, there is more to it than that.

**Mr Spratt:** I thank the Member for giving way. Given the fact that some of the schemes that were referred to by Mrs Overend cannot go ahead until next year, I would have thought that it would be too late to start them in January, with only three months until the end of the financial year.

In fact, those schemes need to be ready to go right here and now.

**Mr Deputy Speaker:** The Member has an extra minute.

**5.15 pm**

**Mr Girvan:** I thank the Member for his intervention. That is exactly the point: we do not want to hand back money to the Exchequer next year because we were not able to make the spend.

I appreciate that it is somewhat late in the day to deal with the matter and that we have a very small window for going forward. Some Members mentioned that a lot of planning is needed for vesting and such areas. That has to be dealt with, but it takes time. Even projects that are under way took time, and I am thinking particularly of the A8 in my area. I read a newspaper report that said that Ballynure was to get a bypass in 1929, but work on that scheme only started lately, and there have been major concerns about it.

I am sure that most of us hear day and daily people's concerns about the upgrade and maintenance of existing infrastructure as opposed to the addition of new infrastructure. I know that the Department spends a sizeable amount of money paying out on claims for damaged wheels, tyres and suspensions because of the proliferation of potholes in our main roads and, in particular, our rural roads. That needs to be looked at, as it would benefit, in a major way, the whole of Northern Ireland, not just one region.

The fact that spend on roads creates employment has been mentioned. I genuinely believe that we have to look at what is going on with some of the schemes that have been appointed. The lead contractor might be from Northern Ireland, but few people from the local community are benefiting from working on the job. So, I wonder where that money is going. Is it going to other people who are, ultimately, taking it out of the country? Something needs to be done about that.

I really do not think that some of the schemes in the proposals can be delivered within that window of time. I appreciate that some of those have been mentioned for some time. However, it is one thing to have a desire or a wish list, but it is another to have something that is ready, capable and ready to deliver. We need to make spend on the ground today so that we do not lose money next year. I support amendment No 2.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. I also support amendment No 2, which will mean that the spirit of the motion is that the A5 remains an Executive priority. The difficulty I have with the SDLP amendment — I support all the projects listed — is that the A32 between Omagh and Enniskillen, which I support as well, needs to be ready to go. As for the Enniskillen ring road, or the Enniskillen bypass as it is better known, much as I want that to be implemented so that people can drive across it this year, the reality is that it is — pardon the pun — miles down the road. It is not that my party or others have not been working to push that project forward. We have a cross-party group, which includes all the constituency MLAs and the MP, that comes together under the stewardship of Fermanagh District Council, and that is one of the key strategic projects in the county. Indeed, the Minister had a meeting in his office here with Minister

Foster, me and a number of other MLAs. However, the project is not shovel-ready. We can all write down a list of —

**Mr Byrne:** I thank Mr Lynch for giving way. Does the Member accept that the first amendment asks for the A5 to remain an Executive commitment and adds another condition by stating:

*“until construction work begins on the A5”?*

Surely those are the two ways best to protect the project.

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr Lynch:** I thank the Member for his intervention. I agree: the best way forward is that the project remains an Executive commitment. That is our position.

The fact remains that the money from the A5 needs to be spent within a short time frame, as Members across the way said. The Chair said that there was approximately £113 million that needed to be spent. The Minister said today — we should all read the Hansard report of what he said — that there are few shovel-ready schemes. We have this huge surplus of money, and the Executive need to consider other suitable capital projects, which may not necessarily mean road projects. That is the reality if those projects are not ready. The money needs to be spent in a manner, as amendment No 2 states, that:

*“will improve our infrastructure, provide a much needed boost for the construction sector and be delivered within the available time frame.”*

As my colleague said, we have met representatives from the construction industry. The delay in building this project is frustrating for us all — there is no doubt about that — particularly for people who were waiting to go on site. We know that there were a lot of workers — I have met some of the contractors — who were waiting to go on site for six months. I welcome the Minister's commitment, given to the Committee and the House today, to the A5 project.

We understand that there will be a small delay of maybe a year to 18 months on this project. I trust that the Minister will work as speedily as possible through the necessary assessment process as indicated by the judge. Hopefully, once it has been given the go-ahead following the resolution of any outstanding issues, the Executive will move immediately to push forward with what is essentially a project of huge economic benefit.

**Mr Storey:** I wish to place it on record that, as far as I am concerned, in the issue before the House, a priority for me as an MLA for North Antrim is to ensure that the A26 project that has been listed is progressed. If we had bottomless financial provision, all the other schemes either listed or in some other programme would also be provided, because we need to see continual progress being made for the benefit of our construction industry and for the benefit of our roads infrastructure.

Let us come to the reality of why we are here. In proposing the motion, the Member said that we needed to take the right decisions. The right decision has been made about the A26. The only thing is that it is taking a long road to get to its provision. It is regrettable that there seems to be an attempt on the part of the Ulster Unionist Party to make this a political issue. I am disappointed. The Member for North Antrim can shake his head, but the reality is that that is what this is about. I am disappointed that the

Minister — someone who I work closely with; someone who I respect in the House — has allowed himself, both in today's 'News Letter' and in the motion, to politicise the issue of the provision of roads. That is the disappointment that I have. We all like to have our day in the sun, saying that we lobbied the Minister, we wrote to the Minister, we have asked for this road or that provision; that is what our job is about. That is our daily bread; it is why we are here. However, there comes a time when we as Members have to set aside, as best as we can, the politics of the issue and look at its merits. I am disappointed that, today, the Member who proposed the motion, on the one hand, tried to distance the UUP from previous decisions that led to the judicial announcement on the A5 and, on the other hand, the Minister being unable to take any decision on the listed projects without the hand of other Executive Ministers to progress those schemes.

I have a file that I did not bring with me today, but I brought some correspondence on the A26 in Ballymoney. The correspondence would probably stretch from the Glarryford junction to the Drones Road junction because it has been an ongoing issue for many years. Some of my colleagues in Ballymoney Borough Council have campaigned for many years. I declare an interest as a member of Ballymoney Borough Council. When I was first elected to the council, the issue was to the fore. In recent correspondence, what did the Department say? Let us look at what Máire Cairns from the Department said on the Minister's behalf:

*"However, it is envisaged that the earliest this scheme could proceed would be 2015-16".*

That was in May 2012.

**Mr Spratt:** Will the Member give way?

**Mr Storey:** Yes. I hope that you do not take as long as Robin Newton.

**Mr Spratt:** I will be very brief. Does that not indicate that, when it comes to the £113 million that we are talking about, the scheme is not shovel-ready, despite the spin that the Ulster Unionist Party has put on it?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr Storey:** I thank the Member for that intervention, because it leads to the correspondence of 2 July 2012. It states:

*"As intimated previously, the earliest timescale envisaged for proceeding with this scheme is likely to be 2015-16".*

Let us move on to the correspondence of September 2012:

*"As I explained in my previous correspondence, the earliest timescale envisaged for proceeding with the construction of this scheme is likely to be 2015-16".*

This afternoon in the House, I hear the Minister saying in response to a Member that it was quite possible that the project could move into next year. Is the Minister seriously telling us that he is now in a position, without ambiguity or any reference to the Executive, the other decisions that have been made, the statutory rules, the process that he has to go through —

**Mr Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr Storey:** Will the Member tell my constituents clearly and plainly whether the scheme is happening? I want clarity before I leave the House and travel home —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Storey:** — on the A26 to Ballymoney.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt in éadan an rúin, in éadan an chéad leasaithe agus i bhfabhar an dara leasaithe. I speak against the motion and the first amendment and in favour of the second amendment.

The fact is that the A5 was and remains a critical part of the infrastructure on this island. It was one of the most major projects to be brought forward. Two of the three remaining sections of the vital connection between the first and fourth city on this island were included in the A5. The Chambers of Commerce along the infrastructure route — the western transport corridor — said that 30% of the trade from the north-west would use the A5. The A6 is equally important. It connects the second and fourth cities on this island. That also remains as an Executive commitment and is, indeed, included in the Programme for Government.

### 5.30 pm

I was very worried when I saw the motion because it seemed to be a reversal of policy on the A5. It specifically says "in place of the A5", and that seems to fly in the face of some of what the Minister has said to us over the past couple of years. Thankfully, the deputy First Minister has echoed the commitment to the A5 in recent times, and that has been reflected by a number of other parties across the island. There is a call for support for the Minister for Regional Development — he certainly would have my support for a number of issues if he were to bring them forward in a timely manner — but there has to be a prioritisation of schemes, as outlined in the most recent ISNI investing activity report.

I was also rather worried about amendment No 1. Essentially, it would allow a number of projects to leapfrog one another. We all have competing priorities, but there are those of us who know what the prioritisation of individual jobs should be. When the A5 was announced, the Member for Foyle, who is sitting to my left, called for the moneys to be redirected to the A6. I do not know whether the wording of amendment No 1, including:

*"other road priorities in the west",*

is exactly what he meant by that.

I do not have any terrible issue with the other projects outlined in the motion and the amendment because a number of them would benefit my constituents. They include the upgrade of the A26 Frosses Road, which would take many travellers from the north of the constituency. I also have no issue with the A6 at Moneynick, the Castledawson/Randalstown connection. I sit there every morning of the week for anything between 20 and 40 minutes. The Magherafelt bypass would also speed up my travel time to Croke Park on the occasions when I can get tickets.

The A6 is also a very strong commitment, and I am disappointed that the SDLP amendment does not put that forward. As people know, Dungiven has been waiting for

43 years for a bypass. As a very fresh-faced seven-year-old —

**Mr Dallat:** Will the Member give way?

**Mr Ó hOisín:** No, I am nearly finished.

**Mr Dallat:** You know why you are not giving way.

**Mr Deputy Speaker:** Order.

**Mr Ó hOisín:** I just want to make my point. As a fresh-faced seven-year-old in 1970, I attended a Dungiven bypass exhibition. Forty years later, I took my seven-year-old to a Dungiven bypass exhibition. The point is that the number of people who travel through Dungiven has gone up to somewhere in the region of 25,000, and that has created health issues. Other Members mentioned fatalities on major roads, but, in the Dungiven area, the amount of nitrous dioxide poured into the air is 10 times the level of elsewhere.

I want a number of the projects to be taken forward. There is a risk, and I think that the Chair of the Committee for Regional Development touched on it.

**Mr Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr Ó hOisín:** The funds should be drawn down in a timely manner, and the questions about vesting, public inquiries and procurement should be addressed by the Minister.

**Mr Dallat:** It seems that hypocrisy know no bounds in this debate. We had Mervyn Storey — he is now absent from the Chamber; he uses it these days only to make announcements and then clear off — speaking for the A26, which, of course, I support, and we have just had Cathal Hasson making an emotional plea on behalf of the A6. Both will go on to support an amendment that is virtually a blank cheque for the Minister or, perhaps, the Executive, if everything that we hear is true. I can understand the DUP —

**Mr Ó hOisín:** On a point of order, Mr Deputy Speaker. It is my contention that Members should be known by the name by which they want to be known: I use the name Cathal Ó hOisín.

**Mr Dallat:** I apologise. I was not even aware that I had done that, but you get used to something for a lifetime, and it is sometimes hard to change.

I can understand this from the Chairman of the Regional Development Committee and his friends, but I do not understand the Sinn Féin men from the west. I really do not. They are backing an amendment from the DUP. History is important, and I think that we all appreciate it. The history of the A5 is that there was an acknowledgement after the Good Friday Agreement that there was a terrible weakness in the infrastructure in the west. That is the reason for it.

The Minister of Enterprise, Trade and Investment keeps telling us, every time she comes here, that she cannot influence where inward investors go. However, we can, and it is by improving the infrastructure in the areas that lack jobs, which, of course, is the west. That is why our amendment —

**Mr Spratt:** Will the Member give way?

**Mr Dallat:** Not at all. You have had more than your fair share.

That is why the SDLP amendment, accepted by the Ulster Unionists, seemed fair and logical: it recognises that that £113 million should be spent in the area for which it was hard-fought.

You see, this is not just about roads. It is not a wish list for what road goes where. It is about the concept of addressing things in the past that were wrong. For whatever reason — we will not go into the history of it — there is a serious infrastructure deficit. Included in that are roads such as the A6, a project that we fully support. I am on record as having supported the A6 week in and week out, from A to Z —

**Mr McCartney:** Where is that in the motion?

**Mr Dallat:** — the A32 and, of course, the A26. I am sure that the Member who is shouting out from a sedentary position will put his name down to speak and take his chance.

**Mr McCartney:** Where is the A6 in the motion?

**Mr Deputy Speaker:** Order.

**Mr Dallat:** Sorry. I will tell you where the A6 goes. It goes to the city that you live in.

**Mr McCartney:** Where is it in the motion?

**Mr Dallat:** It is one of the few — *[Interruption.]*

**Mr Deputy Speaker:** Order. We will have one Member speaking through the Chair at any one time.

**Mr Dallat:** Mr Deputy Speaker, I was sure that I was that Member, but obviously not.

I suspect that Belfast and Derry are the only two cities in Europe — they are the only ones that I am aware of — that are not connected by a motorway or at least a decent dual carriageway. Our amendment addresses that and deals with it.

Cathal Ó hOisín referred to Dungiven, of course. I was in Dungiven and heard the speeches from the previous Minister for Regional Development, Conor Murphy, and all the promises that were made. I heard Mr Spratt, I think it was, wanting to apportion blame to officials for the faux pas and the disappointment. However, I am sure that Mr Spratt would join me in saying that the buck stops with the Minister. The previous Minister was responsible when this package was put together. Let no one get away from that.

Look, I have said it before and I say it again: the west is seriously disadvantaged, not just in roads but in jobs. While people want to talk about tarmac, I want to talk about people. I want to address the serious issues that the Assembly was set up to address. President Obama told us yesterday about the long road to go, and when I see what is going on here today, which is this convenience between the DUP —

**Mr Deputy Speaker:** Will the Member draw his remarks to a close?

**Mr Dallat:** — and Sinn Féin, and, of course, they are always dependent on the Alliance Party for support. I see that President Obama was absolutely right: we have a long road to go. Those men from the west need to reflect —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Dallat:** — on what they are doing.



**Ms Maeve McLaughlin:** On a point of order, Mr Deputy Speaker. Will the Member acknowledge that it is not only men from the west? As a female MLA from the west, I would like to be recognised as such, thank you.

**Mr Deputy Speaker:** That is not a point of order.

**Mr G Robinson:** I will be brief. As a Member who represents East Londonderry, I realise that the A5 money needs to be put to constructive use by the Minister and the Executive. Rather than see the £113 million redirected to the Exchequer, I appreciate that there are many worthy causes in the form of water and sewerage projects and transport issues. Some of the schemes, as my colleagues said, are not shovel-ready, but two projects in my constituency are overdue. They are the Dungiven bypass, which poses great health and safety problems for the residents and motorists of that area, and the Gortcorbies climbing lane between Limavady and Coleraine, which needs urgent work.

The other roads priority is surely the A26, or Frosses Road, project, where so many fatalities have occurred over a long period of time. As a person who travels along that road quite often, I know that it is one of the most dangerous roads in Northern Ireland. I think that something needs to be done urgently.

I support amendment No 2.

**Mr Allister:** I support the motion. I think that it is balanced and realistic, because it does not just recite a wish list but very importantly says that the money that is available here and now should go to other road schemes so that it might not be wasted.

I start from the premise that if money is allocated for road schemes then, fundamentally, unless there is very good reason, it is road schemes that it should be spent upon. We arrive at the situation where the A5, a flawed scheme as demonstrated by the court ruling, is now something for which we are all paying a very considerable price.

What has struck me most about the debate is the base politics of it. The base politics lies in the DUP/Sinn Féin amendment; amendment No 2. It is quite clear that what is being played out here is a desire to siphon off roads money into projects —

**Mr Flanagan:** On a point of order, Mr Deputy Speaker. I ask you to ask Mr Allister to correct his term. It is not a DUP/Sinn Féin amendment; it is a DUP amendment.

**Mr Deputy Speaker:** It is a DUP amendment. Mr Allister has the floor.

**Mr Allister:** We will see, when the vote comes, just whose amendment it is.

It is quite clear that what is afoot here is to rob the roads Minister of any opportunity to announce any new projects, lest he get any kudos for it, and to garner them to the DUP/Sinn Féin cabal so that, for example, the First Minister and deputy First Minister might have the vanity opportunity to announce a new capital project for something or other. Hence the desire to squeeze out of the roads budget capital money to spend in other Departments where political capital can be made out of those announcements. That is the basic truth of the matter. That is what lies behind amendment No 2. It is plain to anyone listening to the debate that that is what is afoot. I think that it would be a scandal if the money were whipped away from roads.

My real concern, and I would like the Minister to comment on this, is that an outcome of this is that we could see a double whammy to good, deserving projects, such as the A26. We could see the A5 money being taken away for some other vanity project. Maybe the DUP/Sinn Féin are going to spend it on their new pet project, the Maze, or some capital project such as that. Who knows? We could see the A26 losing out, because the money is taken for some non-roads capital project. Then the A5 will be resuscitated, and by the stage at which we should have been reaching the A26, it will be trumped by the A5, and those road projects that have faithfully been taking their place in the queue, like the A26, will be trumped. That is what I mean by a double whammy. They do not get the fallout now from the loss of the A5 — it is taken from them — and they do not get it later, when the A5 is reinstated, because they are then knocked out of the programme.

I listened with amazement to Mr Storey say that his priority was the A26 — such a priority that he is going to vote today to delist it from the motion; take it out of the spending priority that the motion would give it, and reduce it to something far less important than the other pet projects that the DUP has in mind.

**Mr Swann:** Will the Member give way?

**Mr Allister:** Yes.

**Mr Swann:** I know that Mr Storey is not here, but Mr Frew is missing as well. He said in a debate on the A26 that:

*"At no time have we ever not supported the upgrade of that road." — [Official Report, Bound Volume 64, p298, col 1].*

Does that tie in with Mr Storey's attitude here today?

**Mr Deputy Speaker:** The Member has an extra minute.

**Mr Allister:** I think that Mr Storey's priorities are quite clear: it is, with the DUP, to corporately support whatever vanity capital projects would bring most glory to their Ministers. If that causes casualty to the A26, so be it.

#### 5.45 pm

The whole A26 saga is very interesting. The Minister sent a paper to Executive colleagues. Today at Question Time he rather pointedly said that he trusted that other parties in the Executive will support the projects that he is putting forward, knowing that they are probably about to undermine him.

Other Ministers have had the opportunity to declare themselves on the projects that the Minister has identified. I would like to hear from the Minister, and from others, if they know the answer, whether the rumour is true that the Health Minister decreed in a response that the A26 and none of the other projects are of strategic importance. If that is right, that is a scandalous thing to say. We are talking about a road where more people die every year than on most roads. We are talking about a road that is crying out for improvement. Is it the case that a DUP Minister has dared to say that the A26 is not a strategic project and has no strategic importance? Is that what we are seeing playing out in amendment No 2?

**Mr Girvan:** Will the Member give way?

**Mr Allister:** Yes, I will give way.

**Mr Girvan:** Was it not clear that the A26 is programmed to be done in 2015-16? Why can it not be done until then? Are there reasons behind the delay until that point?

**Mr Allister:** As the Minister said during Question Time, it could now be done in the latter part of next year — 2014-15 — but the point I made earlier is that —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Allister:** — if, by 2015-16, the A5 is back on track —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Allister:** — it will be taking all the roads money, and the A26 will suffer yet again.

**Mr Deputy Speaker:** Order. The Member's time is up.

**Mr Agnew:** The plain fact is that the A5 has been a disastrous project from start to finish. It was a politically driven project, and when the Republic of Ireland pulled out of the programme, I think that was the time for the Assembly to reflect and to change course. Some £58 million has been wasted on the project to date, and, although the Minister pointed out to me how much of that was spent under a previous Minister, it has been an Executive project, and each of the parties on the Executive must take responsibility for their part in pushing it forward.

There were a huge number of objections to the project. I commend the Alternative A5 Alliance campaign to get the road stopped. Over the weekend, some have questioned what role people power and protest have to play. This is a clear example of people taking on the Executive to say that they do not want something. They have done so legally and have challenged it through the courts. It is another example to the Executive and the Assembly of the fact that you cannot simply ignore environmental regulation. It may come from the EU, and some in the House may not like it, but you cannot simply bulldoze through environmental regulation just because you do not like it. It has to be complied with, and that is something that the Executive and Assembly need to learn.

We now have an opportunity to reflect, change course and reallocate £113 million. The lack of imagination in the House is astounding, because all we can think of is what other road projects we can invest the money in. That really concerns me, especially when I look at the balance of spending between roads and public transport. We see year-on-year increases in the millions of pounds that we spend on roads, yet, since 2006, we have seen a real-terms decrease in how much we spend on public transport. Is that because our public transport system is so great? Is it because it is one of the finest in Europe? I do not think so. I think it is because we undervalue it and underinvest in it. We have the opportunity to change that.

Some may question whether there are shovel-ready projects in public transport. There are other capital projects that have been alluded to that may be ready. I certainly know of a school, St Columbanus' College in my constituency, that was ready to go ahead with a newbuild until capital funding was cut. There may projects like that in which we can invest in the short term, with a guarantee that the money comes back to the Minister's Department to be spent on public transport in future rounds.

I have lost count of how many motions I have spoken on and how many questions there have been on fuel poverty. Everybody talks about it and likes to tell stories

of their constituency where they know someone who is living in fuel poverty. But what have the Assembly and the Executive done about fuel poverty? They continue to allow energy-inefficient homes to be built and they continue to subsidise the fossil fuel industry and prioritise private car transport over public transport.

We need to change course and we need to change that imbalance in spending. I will leave this Chamber today and drive back to my home in Bangor, simply because this Executive and this Assembly have, over the years, failed to provide a public transport system that would allow me to travel to and from work —

**Mr Dallat:** Will the Member give way?

**Mr Agnew:** Certainly I will give way.

**Mr Dallat:** I just picked up on the fact that the Member is driving back to Bangor. Does he agree that we have a world-class railway operating between Belfast and Bangor which is the envy of west Belfast and, indeed, the rest of the country?

**Mr Deputy Speaker:** We are almost out of time for this debate, so there is no additional time on this occasion.

**Mr Agnew:** OK. Very briefly, to Mr Dallat, I use that railway regularly and it is an excellent service. It does not have a stop in Bangor, and I certainly do not have a public transport option to get to it. That is my point: I am 10 miles away from my home and I do not have a public transport option. I am between one large town and another. That should not be beyond the Executive and the Assembly, and until we address the imbalance in our spending on public transport it is a problem that will continue.

**Mr Kennedy (The Minister for Regional Development):** Mr Deputy Speaker, I would be grateful if you could indicate just how long I am allowed.

**Mr Deputy Speaker:** Fifteen minutes.

**Mr Kennedy:** It was quite a lengthy debate, and an interesting one, which I obviously welcome. I particularly want to put on record what the current situation is, what the background has been and what my hope is, as roads Minister, for the future.

It would be helpful to confirm the current position of the A5 dual carriageway scheme. Since Mr Justice Stephens's ruling in May, it has been the subject of much comment, and also much misinformation. The proposal to upgrade the A5 to a dual carriageway was originally a joint commitment, which was to be carried forward as a result of the St Andrews Agreement by the British and Irish Governments. Following the Irish Government's public position of deferral of the majority of their funding commitment, the Executive announced a £330 million funding package to bring forward elements of the A5 carriageway project between Londonderry and Strabane, and Ballygawley and Omagh.

As an Executive commitment, it will require Executive approval to restructure the funding of the project and to deploy resources to other procurement-ready schemes. Schemes are unable to move beyond the procurement-ready position until a commitment to fund a scheme has been made. That is a crucial point which I hope Members will take time to appreciate.

Mr Justice Stephens's ruling quashed all the statutory orders for the proposed A5 dual carriageway, effectively bringing the process back to where a public inquiry has been carried out and the inspector's report has been received. It has been well documented that the judge dismissed 11 of the 12 grounds of challenge, but held that there was a need to carry out an appropriate assessment under the habitats directive. It is also well documented that the decision at the beginning of 2011 to dispense with the appropriate assessment and proceed on the basis of a screening exercise took place under my predecessor's tenure. Those are the facts.

In reaching his judgement, the judge gave greater prominence to the evidence of the Loughs Agency, as provided to the public inquiry, as opposed to the expressed support of the Northern Ireland Environment Agency for the screening advice that was provided by DRD's appointed environmental consultants. I have asked for a report to be prepared to address, among other things, the impacts on the special areas of conservation and proposed mitigation. That report will be consulted on publicly, and the findings of the exercise will allow me to undertake an appropriate assessment. The appropriate assessment process has commenced, and I expect to receive the report within the next two months.

I have also asked for a third-party review of the project consultant's work in respect of the entire appropriate assessment process. That review will include the scope of the report to inform the appropriate assessment, as well as an overview of the environmental statement. Public consultation on the report, to inform the appropriate assessment process, is expected to commence in late summer 2013. Providing that hurdle is navigated, and if issues subsequently emerge from either the public consultation and/or the review that require a public inquiry, my completion of an appropriate assessment will take in the region of a further 12 months. Additional time would be required to arrange and hold a public inquiry and await and consider the inspector's report. All of that could take us to the end of the financial year 2014-15, when issues such as nesting birds and associated environmental issues may further delay a scheme. Clearly, if a further legal challenge were to emerge at any point, that too would impact on timescales.

I paint this scenario chronologically to assist in quantifying the delay. Of course, I bear in mind that I do not, and should not, at any stage prejudge the outcome of the appropriate assessment. The judge's ruling was very clear on that point. As a result of the court ruling, the ownership of the land was returned to the original landowners from 15 April 2013. Departmental officials wrote to landowners on 23 April, updating them on that situation.

Naturally, the Department recognises that some works already completed need to be reversed and has instructed its contractors to carry out such works at the request of landowners. Landowners are free to arrange for works to be carried out privately. In such circumstances, appropriate payments will be made, provided all works are agreed in advance with the Department. Many landowners have opted to carry out some or all of the reinstatement works themselves. Compensation for those works will be paid based on DARD rates. Copies of those rates have been sent to the relevant landowners and their agents.

Meetings have been held with the vast majority of affected landowners, and the scope of works has been agreed. Works to be completed by the Department's contractor have already started on site and will be completed within the next few months.

Officials wrote further to those landowners who have already received 90% compensation payments on 7 May 2013, giving them the option to either sell property by agreement or return the money and revert to the position prior to the land being vested. On the issue of the 10% top-up — and I met the Ulster Farmers' Union on that issue — I wish to make it clear that I support the GB system being extended to Northern Ireland. I have pursued that issue with Executive colleagues, and I will continue to do so.

Following the recent ruling on this scheme, I wrote to the Finance Minister on 9 May 2013 to declare a reduced budget requirement for 2013-14. It is essential that we redeploy that reduced requirement quickly to provide support to the construction sector and the local economy at this most difficult time.

I consider, as roads Minister, expenditure on roads to be a specific example of an activity that improves vital infrastructure and facilitates economic growth and, at the same time, provides much-needed local employment.

Looking forward, there may well be, given possible chronologies, knock-on implications for 2014-15. Therefore, a number of weeks ago, I provided an options paper to the Finance Minister and Executive Ministers for other major road schemes that could commence ahead of the A5 in that year. I await Executive consideration of the issue. Meanwhile, my officials are further exploring and making ready those options, given the potential timelines and risks associated with progressing the A5.

*(Mr Principal Deputy Speaker  
[Mr Mitchel McLaughlin] in the Chair)*

Those projects include the A6 Randalstown to Castledawson dual carriageway, the A31 Magherafelt bypass, the A26 Drones Road dual carriageway and the A55 Knock Road widening in Belfast. As Members have said, the A6 is an important east-west link and is essential to improving travel between Northern Ireland's two primary cities. The 14 km stretch between Randalstown and Castledawson presents a significant bottleneck, particularly during peak times. The proposed dual carriageway would reduce journey times and would be fundamental to business and trade, particularly for the west of the Province, by providing increased accessibility to the International Airport and to the gateways located along the eastern seaboard corridor.

The proposed dual carriageway on the A26 between Glarryford and Drones Road was examined by public inquiry last year. I want Members to listen up: subject to the outcome of the public inquiry, it could be possible to commence construction in mid- to late-2014.

#### **6.00 pm**

The A26 is an important link road to north Antrim and the north coast tourist resorts. The project is also fundamental to business and trade in that area and provides increased accessibility to the International Airport and to the gateways located along the eastern seaboard corridor. The A26 has been the subject of much comment today,

but it is worth restating that, generally, vesting will not take place until the budget for a particular scheme is in place. As budgets are not yet in place for the four schemes, the vesting orders have not been made. The direction order has been made, and the environmental statement has been published for the A6 Randalstown to Castledawson, the Magherafelt bypass and for Knock Road. I anticipate being in a position to issue a departmental statement on the A26 this autumn following consideration of the inspector's report from the public inquiry. If everything were to proceed positively — read my lips — construction could commence, as I said, in autumn 2014. However, it is important not to prejudge the inspector's report, which is with the Department for consideration.

It has been mentioned today that the proposed Magherafelt bypass has been waiting over 40 years. Everything is waiting 40 years. I have been in position for two years. The bypass extends from the A31 Moneymore Road at its junction from Coolshinney Road in the south to the A6 Castledawson roundabout in the north. By providing a direct link to the A6 north-western key transport corridor, the mid-Ulster region will benefit from increased accessibility to the International Airport and to the global gateways along the eastern seaboard corridor. That is fundamental to their business and trade.

I was interested in Mr Newton's support — I think — for the Knock Road project, because it, again, is 40 years old. I, too, am well aware of the concerns of local residents, who have important views to be taken into consideration. That is why the road-building exercise can be long and sometimes torturous. The Knock Road carries 45,000 vehicles a day, and the proposed improvement would upgrade Belfast's outer ring and fill in the missing link in the only section of that route without two full lanes in each direction.

The SDLP amendment mentions the A32 between Enniskillen and Omagh, and other schemes, but those schemes are at a much earlier stage than the four I highlighted previously, and I am not in a position to bring those to construction either this year or next year.

I will quickly run through some of the contributions from Members. It has been an interesting debate, and I am glad that it has taken place. I hope that Members will look at my comments on the record because, as roads Minister, it is my role and responsibility — I make no apology for it — to bring forward road schemes that will improve the overall infrastructure of Northern Ireland. That is a fundamental requirement of my role as Minister for Regional Development, and I will not shirk from that responsibility. I want to make that absolutely clear.

My difficulty with the second amendment is that, while it highlights the merits of a much needed boost to the construction sector, it does not say the "road construction sector". I have a slight nervousness about that. As roads Minister, I want to put forward road schemes that will improve the overall infrastructure because, in turn, that will improve the economy.

Sandra Overend referred to the positive effect of roads schemes on the economy and mentioned the Magherafelt bypass. I would have been surprised and disappointed if she had not. Joe Byrne listed nearly every road in the country and wanted it all done, and that is fine, too.

However, I at least welcome support in the overall context of the matter.

I think that Mr Spratt —

**Mr Elliott:** Will the Minister give way?

**Mr Kennedy:** I have to make progress, unfortunately.

If I move to Mr Spratt's contribution, I should say that I think that nobody wants to give money back. As a member of the Executive, I do not want to give money back to the Treasury in London. That is because, in my view, that money has been earmarked for road schemes, so I believe passionately that it should be spent on road schemes. The difficulty in the past has been that all the eggs were in one basket. However, in its own way, the motion seeks to redistribute the eggs into different baskets so that the schemes can be brought forward for the positive benefit of everyone across Northern Ireland.

The question was asked about my priorities. My priorities are clear. They are to progress strategically important projects at the earliest opportunity. I am saying clearly that I am not wedded to any single project. As roads Minister, I cannot be. My commitment is to take the right decisions for the economy and for the infrastructure, and I ask other Executive Ministers, as well as other Members of the House, to support me in so doing. I am not playing games, and I am not interested in playing games. I commend all these projects to the Assembly.

**Mr Principal Deputy Speaker:** I call Ian McCrea to make a winding-up speech on amendment No 2.

**Mr I McCrea:** Thank you, Mr Principal Deputy Speaker. First of all, I thank those Members who spoke in support of our amendment, as well as others who contributed to the debate. I want to put on record my appreciation to the Minister for coming along and for outlining his position. Mind you, Minister, we read it in the paper this morning before you came, but it is nonetheless helpful that you came along to hear the issues that Members raised.

Given that those who were in the Chamber heard what everyone said, I do not intend to regurgitate what other Members said. However, I want to follow on from what my colleague Mervyn Storey said by discussing projects that are in my constituency. Although the Minister said that that money was allocated for roads projects, I believe that it is important to say that it was allocated for a road project. I want to see the money spent on roads as best possible, but like every other Member, I have a wish list for my own constituency, whether for roads or schools or any other building. So, I think that it is important that we focus on projects that can be completed in the time in which this money is available.

The Minister will know that, like his party colleague and my constituency colleague Sandra Overend, I have never missed an opportunity to highlight the need for a Magherafelt bypass. He referred to the project being over 40 years old. I can recall 37 of those years but not the additional ones. Nonetheless, a scheme for a much-needed bypass has been on the agenda for as long as I have had birthdays.

**Mrs Overend:** Will the Member give way?

**Mr I McCrea:** Quickly.

**Mrs Overend:** Would the Member not therefore be minded to support the Ulster Unionist motion, which specifically calls on the Minister to support the Magherafelt bypass?

**Mr Principal Deputy Speaker:** The Member has an extra minute.

**Mr I McCrea:** Thank you. The Member will know, as I already stated, that I will support amendment No 2, which is in my name and in those of some of my colleagues. I think that in response to the debate, the Minister said that he could not specifically detail which projects he could go forward with. So, I do not believe that it is best for us to restrict the Minister about which projects should happen and which should not. As I said, I think that there are other roads projects to consider, and I have no doubt that the Minister will have others that people will bring to him. So, I do not think that it is a positive thing to restrict the Minister's hands if this money is to be spent specifically on roads projects.

**Mr Dickson:** Will the Member give way?

**Mr I McCrea:** Quickly.

**Mr Dickson:** I will follow on from the Member's point. Does he share my disappointment at the Minister twice stating very firmly that he is the roads Minister? Surely he is a lot more than the roads Minister. He is the Minister for public transport, and he is the water Minister. He is the Minister for Regional Development. Therefore, the budget needs to spread and shared.

**Mr I McCrea:** I am sure that the Minister, like everyone else in the House, knows that he is the Minister for Regional Development and has all those portfolios to look after. I wish him well in doing all that.

I commend the members of Magherafelt District Council, including the Minister's colleague George Shiels, who has been very vociferous in promoting the Magherafelt bypass with the Minister. Indeed, I commend my colleague Councillor Paul McLean, who was the chairman of the council. I have taken every opportunity that I can to lobby the Finance Minister and, indeed, the First Minister on that project. The Minister knows that I have done the same with him.

So, I do not apologise for supporting the Magherafelt bypass, but it is important that, as we move forward, we move the projects away from being procurement-ready to being shovel-ready. I do not like the phrase, but it is important that, instead of putting a list before the House today, we are honest with people about the projects that are ready to go and the money that will be available to spend on these projects to ensure that, for the people of Magherafelt, the bypass is delivered. I ask the Minister to ensure that, in the case of the Magherafelt bypass, whatever needs to be done is done as soon as possible to ensure that, if this happens to be one of the projects to go forward, it can be delivered as quickly as possible.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. The A5 project is possibly the most important infrastructure project in the North and remains a major priority for the SDLP. However, as this money is now in real danger of going back to the Treasury, we believe that it should be spent on the named roads to ensure that there is a direct benefit to the roads construction industry and to the west in particular. Over the years, the north-west has continually been ignored for infrastructure and investment.

The A5 project is more than just a road. It is a vital driver that will be used to address the economic and social deprivation facing the western area. It will create links with the Republic that will open up opportunities and revitalise a long-neglected area. It is not, as Mr Agnew believes, politically driven.

Some Members expressed concern that the named schemes are not ready, and we want to test whether procurement earmarking can be advanced any more quickly than DRD is saying. A similar line was taken by DRD under its previous Minister, Conor Murphy, on the planned delay on the Derry-Coleraine railway line. However, although that decision emerged under, and was enunciated by, his predecessor, the current Minister and his Department were subsequently able to find and accept that some of us were right in suggesting that some of the planned work could be re-profiled and expedited.

Although we can see that money in this cycle will not now be used for the A5, we must still be vigilant and determined to guarantee the earmarking of moneys brought forward for the A5 scheme once all the procedural and technical details are worked through. To this effect, I welcome the deputy First Minister's comments last month that the Executive are committed to advancing the A5, although I now have to question the value of those words, given the subsequent commitment that he gave to a cross-sectoral and cross-party deputation from the west that this money will now remain in the west. Indeed, he intimated that it would be for the A6 in particular.

We welcome the assurance from the Minister that he is committed to keeping the money in roads, and today we ask that he remains committed to putting that money towards roads in the west. We want the money to be used for the same aims but on different roads, now that it has transpired that spending on the A5 in this round is not possible.

## 6.15 pm

Under the previous Regional Development Minister, the Derry-Belfast road improvement was de-prioritised. We name that road in our amendment, so that should assuage Mr Ó hOisín's concerns. Not only will the improvement of the A6 improve the quality of life for the thousands who commute to Belfast, it will make Derry more attractive to investors and more accessible to tourists.

To those content to describe us from the north-west as "whingers", I say this: give us less to whinge about. To paraphrase Woody Allen, just because we are paranoid does not mean that people are not out to get us.

That is the whinge over; now for the wind. Sandra Overend moved the motion and spoke of the difficulties encountered by the A5 scheme. She said that this cloud creates a silver lining, and it is important that we grab that and use it wisely.

Joe Byrne spoke of the road projects identified and highlighted the need to progress each one in order to benefit not just their respective area but the region as a whole.

Mr Spratt worried that the Minister was putting all his eggs in different, smaller baskets, but I contend that you cannot make an omelette without breaking eggs, and the road construction industry is starving.

Mr McAleer spoke of the contribution of road improvements to increased road safety, but he proceeded to oppose a motion that calls for roads to be improved, which is bizarre. His party colleague Seán Lynch opposed our amendment because it de-prioritised the A5, yet, following an intervention from my colleague, accepted that it protected the A5 as a priority.

Mr Storey lamented the politicisation of road provision and then launched a political broadside against the Minister.

We believe that the DUP amendment, and Sinn Féin's support for it, conjure up the image of carrion crows picking over the bones of the A5 scheme to see what they can scavenge for their respective Departments.

**Mr Principal Deputy Speaker:** Will the Member please draw his remarks to a close?

**Mr Durkan:** One really has to wonder what their positions would be, or how they would differ, if either party had the DRD portfolio.

**Mr Swann:** I thank the Minister for his earlier response.

On 14 June 2011, two years and four days ago, I made my maiden speech in the House, believe it or not. The motion was tabled by Mr Mervyn Storey, and its subject was the upgrade of the A26 and how it was a priority that needed to be brought forward. How things have twisted and changed since then. There have been rather unexpected contributions in today's debate, and they will be noted in constituencies such as mine, where we have been working really hard to raise the profile of the A26 project and have it developed to the stage of being procurement-ready. My party colleague the Minister has the great A26 scheme at that procurement-ready point where work could commence next year. He did say that, Mr Storey. You asked for clarification, and the Minister gave the date of autumn 2014 as clarification.

As Mr Dallat pointed out, Mr Storey supported the A26 scheme in his contribution; Mr McCrea supported the A6 in his; and Mr Ó hOisín supported him. Gentlemen, just throw off the shackles of your party for once and support the motion. Look at the amendment tabled in the name of the DUP, which we have heard will be supported by Sinn Féin and the Alliance — the triumvirate that we are used to seeing in this place when one of them gets into difficulty. That is also the case when a Minister gets into difficulty. If the Minister belongs to any other party, they say that he should resign, but, as Mr Spratt pointed out earlier, it is the officials who are to blame if a Sinn Féin or DUP Minister is at fault.

The A26, as Mr Allister pointed out —

**Mr Girvan:** Will the Member give way?

**Mr Swann:** No. I am making progress. *[Interruption.]* The A26 is high on the list of the most dangerous roads — *[Interruption.]* Sorry, but there is no point in shouting from a seated position, Mr Storey. You left the —

**Mr Storey:** Will you take an intervention?

**Mr Swann:** No. I will not. I will not take an intervention from someone who left the Chamber during the debate. If anyone else does that during any other debate, you lambaste them and name them in the Chamber, so I will not give way. *[Interruption.]*

**Mr Storey:** On a point of order, Mr Principal Deputy Speaker. May I just clarify that I left the Chamber to give a pre-arranged interview to UTV, so I was not running away from Mr Allister, Mr Dallat or anyone else.

**Mr Principal Deputy Speaker:** The Member may resume.

**Mr Swann:** Thank you very much, Mr Principal Deputy Speaker. In his contribution, Mr Storey mentioned his time in the sun. I think that he has had another opportunity to top up his tan.

A number of other factors come into play when a region is trying to attract foreign direct investment along with taxation powers and prospective employee skills, and infrastructure is one.

**Mr Spratt:** On a point of order, Mr Principal Deputy Speaker. Is it not wrong for a Member to make scurrilous remarks about another Member in the House that are totally out of context and totally out of order? Will you examine the remarks that Mr Swann has just made and refer them to the Speaker?

**Mr Principal Deputy Speaker:** We will, of course, study Hansard. It is wrong for Members to make scurrilous remarks. I remind the House about the Speaker's rules, which have been laid down very clearly, about good temper and moderation in the presentation of arguments. Mr Swann may resume.

**Mr Swann:** Thank you very much, Mr Principal Deputy Speaker. I am happy to take direction from the Speaker. As you know, I have done so in the past.

There is little point in us lowering corporation tax in our region if our young people do not have the right skills for the employers that we seek to attract. In the same way, lowering tax or development skills will not go the distance in attracting investment if we do not have a competitive and sound transport infrastructure in place. It goes without saying that people in North Antrim and, indeed, East Londonderry expect their local representatives to back absolutely the schemes that matter most to their constituency, namely the A26: no ifs, no buts and no maybes. Not only do they expect but they are entitled to that full, unequivocal support, and that will be evident later today. People know that the A26 could be easily slotted in ahead of the A5 scheme, given its current predicament, only that was of Sinn Féin's own making under its man, Conor Murphy. Many other schemes could also be slotted in ahead of the A5, and we have heard a number of them talked about today. Every Member had the chance. Mr Dickson referred to the pork-belly list that we brought forward, but every Member who spoke in the House added his or her own scheme to that pork-belly list.

Importantly, the schemes that were listed are all procurement-ready and on the starting blocks waiting for the green light for funding. The issue here for debate is all about funding: future funding and making the best use of existing funds. Nevertheless, the Finance Minister, to whom the motion was tabled, passed it to DRD, and the DUP accused us of playing party politics to avoid backing the motion, a motion that is of sound common sense. That is why the DUP tabled its amendment, an amendment that is vague and non-specific.

From an Ulster Unionist point of view, there is no place for party politics when it comes to jobs and the economy. For us, it always has been and always will be about doing

the right thing and doing what is right for Northern Ireland. It is simple: at this time, we need to do all that we can to support the road construction industry. Among our other knowledgeable bodies, the Confederation of British Industry backs our judgement on this one. As my party colleague Sandra Overend pointed out, so does Boris Johnson, and he gets the odd thing right too, and it is not just his sound judgement when it comes to sourcing great buses from Wrightbus in Ballymena.

We believe in taking a long-term approach, an approach that will make the best decisions now and for our future generations, handing on to them a positive infrastructure legacy. It is right to say that the decisions made today will impact on business competitiveness and the standard of living of our young people for many years to come — the sort of talented people that we saw yesterday enthused by President Obama. On the subject of American presidents, let me offer you a reminder of one of Bill Clinton's more memorable sound bites during the 1992 presidential election, when he said, "It's the economy, stupid." Let me rework that for today's debate: let us not be stupid about the economy.

In conclusion, let us make it clear that we expect the Executive to make the right decision on the capital available from the A5 both this year and next. Let us make it clear that it should be a decision that best supports our hard-pressed construction industry. It is true to say that if government spends the money wisely and thinks of the big picture, the benefits can be enjoyed by many for years to come.

**Mr Principal Deputy Speaker:** Before I put the Question on amendment No 1, I remind Members that if it is made, I will not put the Question on amendment No 2, as that amendment will have been overtaken by the decision on amendment No 1.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 25; Noes 57.*

#### **AYES**

*Mr Allister, Mr Attwood, Mr Byrne, Mr Copeland, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr Eastwood and Mr Rogers.*

#### **NOES**

*Mr Agnew, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Noes: Mr Anderson and Mr G Robinson.*

*Question accordingly negatived.*

*Question put, That amendment No 2 be made.*

*The Assembly divided:*

*Ayes 57; Noes 25.*

#### **AYES**

*Mr Agnew, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Ayes: Mr Anderson and Mr G Robinson.*

#### **NOES**

*Mr Allister, Mr Attwood, Mr Byrne, Mr Copeland, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mrs Overend and Mr Swann.*

*Question accordingly agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly notes the current position of the A5 western transport corridor scheme; further notes that the construction of the corridor was an Executive commitment; and calls on the Executive, given the substantial delay in the scheme, to bring forward suitable capital projects which will improve our infrastructure, provide a much needed boost for the construction sector and be delivered within the available time frame.*

**Mr Principal Deputy Speaker:** Will Members who are not staying for the Adjournment debate depart quietly and in good order?

*Motion made:*

*That the Assembly do now adjourn. —  
[Mr Principal Deputy Speaker.]*

## Adjournment

### Schools: Dickson Plan, Craigavon

**Mr Principal Deputy Speaker:** The proposer of the Adjournment topic will have 15 minutes. The Minister will have approximately 10 minutes to respond. All other Members who wish to speak will have approximately five minutes.

**Mr Moutray:** I appreciate the debate being taken this evening. This issue is close to my heart and has exercised me greatly. In the Craigavon and Tandragee area, party colleagues and I have been experiencing an unprecedented lobby to retain the Dickson plan form of education. I speak today safe in the knowledge that it is the will of the overwhelming majority of my electorate.

Some Members may be less familiar with this unique education system. The Dickson plan system is a form of education that is unique to Craigavon and Tandragee and has served both areas well for decades. The aim of the debate today is to raise awareness of the imminent threat to Dickson and to ultimately ensure that it is preserved for many years to come.

The Dickson plan is a two-tier system in which the majority of pupils in the Craigavon Borough Council area and parts of the Armagh city council area attend junior high schools for three years before transferring to Lurgan or Portadown senior high schools or Lurgan or Portadown colleges to complete their compulsory education at Key Stage 4. It allows for an academic selection process at age 14, as opposed to 11, with pupils taking internal exams that are set by individual grammar schools and entering a grammar or senior high school at age 14.

Many people in the area have availed themselves of and benefited significantly from being part of the two-tier system, and they are now making exceptional contributions and differences to society. I went through the system in the second year of its existence, and, in more recent years, my three children have benefited from the Dickson plan. Dickson has served the area well. Analysis shows that it has provided higher than average examination results year on year, which substantiates our argument about the tangible benefits that such a system has provided for the many thousands who have participated in it.

All is not well, however. Unfortunately, it would appear that there is a concerted effort on the board's part to decimate the system that has consistently served the community well. In recent days, we have witnessed efforts by the Southern Education and Library Board (SELB) to, for the want of a better word, cobble together a fudged consultation that has no sound evidence and is in fact blatantly outlining its preferred option. We are all long enough in the tooth to know that there is no way an options appraisal or consultation should be loaded towards one option, especially if the two options included have been deemed viable by the board. However, I will elaborate on this later in the debate.

The benefits of Dickson are clear. Academic selection is delayed from taking place at age 11 and instead takes place at the age of 14. At the age of 11, children transfer to one of the local junior high schools, and then, at the age of 14, they move to one of the two local controlled grammar schools — the highly successful Lurgan College or Portadown College — or to attend Craigavon Senior High School, which is outstanding in its educational achievements, particularly its focus on vocational courses. It provides a unique educational experience that seeks to ensure that children's individual educational requirements are met, whether they be academically or vocationally challenged. The Dickson plan also strives to ensure that children's full potential in education can be met, so that they can not only flourish as pupils but go out into further and higher education and the world of work and make a significant contribution. That has even been realised by the chief executive of the SELB, who would appear to agree with me on the success of the two-tier system. Recently, he wrote in a letter addressed to parents:

*"Your options are unique because the school your child attends at present is part of the Craigavon Two Tier System. This system is highly effective with all schools producing good examination results and each school providing pupil-centred pastoral care and promoting home-school relationships to support pupils."*

The local community in Craigavon wishes that highly successful system to be retained. That was proven on no fewer than two occasions recently. In the first instance, an initial public consultation on post-primary provision in the Craigavon area carried out by the Southern Education and Library Board (SELB) revealed that some 83% were in favour of retaining the system as is and addressing the estate issue that has plagued the Lurgan campus of Craigavon Senior High School for many years. Eight per cent of respondents to the SELB consultation supported the eventual creation of a comprehensive system in the post-primary sector through the introduction of a collegiate structure. Eight per cent versus 83% speaks volumes.

The SELB, however, has recently displayed an attitude of utter contempt and disregard for the opinions expressed by local people. It has chosen to ignore the overwhelming majority and has recently formulated a further consultation that endeavours to force a bilateral system on the people of Craigavon and Tandragee. In doing so, it has released to the post-primary schools in the area a further consultation that details two options for the future of post-primary education. Only one of those options — option B — will ensure the continuation of the highly successful system that we have. The other option — option A — seeks to force a system of comprehensive education on a community that does not want it. Option B is the only option that will retain distinctive grammar school provision, providing equality and parity with other areas. It will also address the estate issue that the senior high school campus in Lurgan has been subjected to.

Option A would mean a loss to the area of the Lurgan and Portadown colleges, which would undoubtedly lead to the migration of many families out of the Craigavon area to avail themselves of educational establishments in other areas that have grammar school status. A migration of children and young people would have a devastating effect on our local economy and would be disastrous for business and trading in the borough of Craigavon. Indeed,



I would go as far as to say that people will relocate from the Craigavon area, stripping the highly populated area of Craigavon of young and vibrant families who are best placed to contribute to the economic recovery of the area if they are nurtured and educated and later return to work in the area. Local services would, no doubt, be affected by such a loss.

Option B is the only option that will retain Craigavon Senior High School. Indeed, it proposes the creation of a single 14- to 19-year-old campus of Craigavon Senior High School. That would ensure increased accommodation and curricular provision, and it would enable the school to build on its already long-established high-quality education provision that is focused on vocational subjects. The creation of a 14- to 19-year-old campus would also grant further financial viability, as the management of a single campus for four instead of two year groups, as outlined in option B, would guarantee the long-term sustainability and viability of Craigavon Senior High School.

Although option A claims to retain the Dickson plan system, the community has not been fooled. Indeed, I believe that the SELB has blatantly misled in the consultation, owing to the fact that option A would lead to a single all-ability comprehensive school being forced on the people of Lurgan, Portadown and Tandragee. Young people would all be forced into one institution on the basis of a one-size-fits-all approach. That will not and cannot meet the individual educational needs of the young people of the Craigavon area. Ultimately, young people who need support for their educational needs would not receive the level of tailored assistance that they currently enjoy in the senior high school. Those who need to be stretched and academically challenged would not be able to enjoy that in settings such as the Lurgan and Portadown colleges. Both have a rich history and are famous for their ability to nurture and grow young people's knowledge base. Some of our young people are more academically gifted, and some are more vocationally gifted. That is how the world works. However, forcing all young people into one comprehensive school would lead to their individual skills being ignored. As such, their educational development would be stunted.

The Democratic Unionist Party MP, MLAs and councillors have listened to the people. We have taken to the doors and consulted with the public. We are unequivocal in our support for option B in the most recent consultation. Option B is the only option to retain the Dickson plan as is and provide a newbuild for a senior high school through an amalgamation of Lurgan College and Portadown College. Option A is a smokescreen and an attempt to lure people into a false sense of security. It claims to retain the Dickson plan, but it in no way does that.

### 7.00 pm

The debate is particularly timely as the SELB advisory subcommittee will meet tomorrow morning. I trust that it will not be led by officials but will make the right decision, not only for present generations but for future generations. Parties in the Chamber have members on that Committee, and I hope that they will use their influence on this vital issue tomorrow.

In closing, I want to quote from the famous C. S. Lewis, whose father, incidentally, attended Lurgan College. He wrote:

*"The task of the modern educator is not to cut down jungles but to irrigate deserts."*

Many deserts have been irrigated, and many pupils have reached their full potential through the Dickson two-tier system. Minister, I urge you not to axe a system that has widespread support and is so precious to the community that it has served so well.

**Mrs D Kelly:** I have four children, three of whom went through the junior high and senior high system under the Dickson plan. My other child attended Lismore Comprehensive School, which I think is the Minister's alma mater. I have to say that both systems served my children well. The important thing was that they and their parents had a choice, which is critical.

A number of interesting things are happening in the Upper Bann area, particularly in Craigavon. As the Minister and others in the Chamber will know, there is a great emphasis on providing opportunities for shared education. There is also an area learning plan in the Craigavon area.

Research published some time ago suggested that the Dickson plan and streaming at age 14 was a system that served young people's needs much better because they were better informed and more mature, and it is hard to argue against that. There are also, of course, a number of young people from the Craigavon area who vote with their feet. I am not sure how many are involved — I am sure that the Minister can give us the figures — but something like up to 200 young people from Upper Bann travel to grammar schools outside their immediate location at age 11.

We must urgently get some certainty in our education system and schools and ensure that parents' choice comes first. However, more importantly, we must ensure that each child has access to a good education — the type of education that meets their specific needs and ability to learn. Although many of the schools in Craigavon are rightly recognised for their high academic achievement, over 20% of young people still do not achieve the basic grades at GCSE and A level. So there is something fundamentally skewed in the provision of education in the area.

The SDLP opposes academic selection at age 11 for very good reasons, and I am sure that the Minister will again articulate some of the research that backs up that position. However, other reports have been commissioned — I am grateful to the Assembly's Research and Information Service and the Education Committee's research for providing analysis on these matters over the past few years — and, as far as some of their authors were concerned, the jury was out on the Dickson plan.

Children have to get used to disappointment. We cannot all be stars, and we cannot all be A\*s. I know that, at age 14, a cohort of maybe 80-plus will get into the senior high school system, and others will go into another system. Some children are rightly very disappointed. I know that a number of parents pay for extra tuition fees for their children, even at the age of 14. That is not available to all parents, and many may make sacrifices for that. However, it is also about whether parents have the economic ability to contribute to such tuition classes.

Some of the reports related that the collaboration that ought to work across the educational sector could be improved on to improve the outcomes of the Dickson plan. I hope that those involved in the Craigavon area learning plan will take it forward.

I am very concerned about the future of Drumcree College, and I am sure that the Minister shares my concerns. Its numbers have dropped drastically to 200, yet Lismore Comprehensive School has either 1,160 or 1,260 pupils. Drumcree College is the only post-primary Catholic maintained school in the Portadown area. I am not too sure whether the Minister can shed any light on the matter, but one of the facts that I ascertained is that Drumcree College is not included in the Craigavon area learning community. Therefore, it does not have the same access to some of the potential shared education as Lurgan College, St Michael's Grammar School and other schools in the district.

Therefore, the Dickson plan —

**Mr Principal Deputy Speaker:** Will the Member bring her remarks to a close, please?

**Mrs D Kelly:** — provides the ability to choose subjects and career pathways at age 14, which is a much better age at which to do that. We should not throw the baby out with the bath water. We must have a system in place —

**Mr Principal Deputy Speaker:** The Member's time is up.

**Mrs D Kelly:** — that has the confidence of all.

**Mrs Dobson:** I welcome the Adjournment debate and thank Mr Moutray for tabling the topic. My views on the current Dickson plan structure are clear to all Members present, and I believe that they are shared by the vast majority of pupils, parents, teachers and the public in the catchment area. From the outset, I put on record my deep admiration for the dedicated service and leadership of all principals and staff, past and present, of controlled primary and post-primary schools in the catchment area.

**Mr Kennedy:** I am grateful to the Member for giving way. Does she agree with me that there is huge public support for the retention of the Dickson plan system in the area that it serves, including parts of my Newry and Armagh constituency, and that it continues to produce top-quality education for pupils and students in that region? Does the Member further agree that it would be unwise of any Minister of Education to ignore the views of the overwhelming majority of parents by seeking to impose a solution and attempting to dismantle the Dickson plan?

**Mr Principal Deputy Speaker:** The Member has an extra minute.

**Mrs Dobson:** Yes. I thank my colleague for that intervention. He makes valid points and is 100% right: his is a widely held view of the Dickson plan. It is very popular in the area.

In recent weeks and months, as the threats to the Dickson plan have amplified, I have had the opportunity to meet personally many of those involved. Indeed, families across upper Bann are waking up to that very real threat. Uncertainty is playing heavily on the mind of many people — parents, grandparents and great-grandparents alike. Families such as mine have much for which to be grateful to Mr Dickson; namely, for putting in place a system that has educated generations of children in upper Bann, which

has directly resulted in making Craigavon the commercial and industrial hub of Northern Ireland that it is today. I am sure that even the Minister is not oblivious to those strongly held feelings.

The retention of the principles of the Dickson plan will guarantee the future of Lurgan and Portadown colleges as selective grammar schools for 14- to 19-year-olds, and that should be a key consideration in any future arrangement. That having been said, I am fully aware of the much publicised and long-unaddressed accommodation issues at Craigavon Senior High School. However, in seeking to address those issues, there is a duty not to irreparably damage schools and, by implication, the education of pupils who attend schools that are not experiencing the same dire level of need.

The outright rejection of the SELB's previous area planning proposal for a collegiate system by 86% of respondents came as no surprise, but the threat did not end there. The most recent proposal of option A, as mentioned by Mr Moutray, with its proposed dilution of grammar school education at Lurgan and Portadown colleges, would be wholly unacceptable to so many in the community. However, there are a number of conflicting interests at play here.

Minister, I wrote to you twice last month highlighting concerns about the process adopted by the SELB in effectively pushing option A. In an almost steamroller approach, rules and conventions were set aside, including the scheme of management for controlled schools, and, indeed, the Nolan principles of public life. I am sure that all in the House will agree with me that decisions made by those in a position of authority must be visible and beyond reproach. That is why I wrote to you calling for an immediate public inquiry into the entire SELB area planning process — an inquiry that I am confident will highlight the failings in due process and result in the reset button being pressed on the current threat to the two-tier system.

There is also clear evidence that option A, with its dilution of the grammar schools, would run contrary to the agreement at St Andrews — an agreement that many claimed would ensure that any future Education Minister would not be able to superimpose a non-academic selection system on schools. The First Minister is also on record admonishing the Environment Minister over John Lewis and saying that it should not be a matter for one Minister. Surely this issue is of greater impact and should therefore be a matter for the Executive as a whole, rather than one Minister being allowed to take a frankly blinkered and dogmatic approach.

**Mr Storey:** Will the Member give way?

**Mrs Dobson:** No, my time is nearly up. As a member of the Education Committee, I have raised and praised the Dickson plan and its outcome for generations of children in Craigavon on countless occasions. Although the clear and present danger facing the Dickson plan comes from the SELB area planning, it is equally clear that a much greater long-term threat comes from the proposed Education Bill. The Ulster Unionist Party is united in its determination to oppose that Bill and the ultimate power it would give to any future Education Minister.

**Mr Principal Deputy Speaker:** Will the Member bring her remarks to a close?

**Mrs Dobson:** If the SELB is threatening the Dickson plan system, I submit that that threat would pale into insignificance compared to those present under the Education and Skills Authority (ESA). I support the Dickson plan, and urge its retention.

**Mr Anderson:** I welcome the opportunity to participate in the debate this evening. I thank my colleague Stephen Moutray for securing the debate. The threat that Dickson is currently under has caused much public outcry, with pupils past and present, teachers, principals past and present and parents making strong representations to us as elected representatives to do all that is physically possible to protect the Dickson form of education from the metaphorical axe that the SELB is wielding.

The Dickson two-tier system has delivered consistently for the people of Craigavon and Tandragee, with many thousands of our young people over four decades having availed themselves of that unique educational experience. Indeed, many have publicly hailed the success of the Dickson plan form of education in recent days and weeks. We have heard Mr Moutray refer to the chief executive of the SELB.

However, I wish to quote from a retired former principal who has recently commented on the proposals. Mr Harry Armstrong, former principal of Portadown College, stated:

*“A proposed change to any established educational system, particularly one as successful as the two-tier system, must be judged very critically whether or not an improvement is likely, and, in that process, all those affected now, and in the near future, should be fully briefed on the details, implications, knock-on effects and possible consequences.”*

He has also been extremely critical of the lack of detail on the proposals and the absence of any real opportunity to tease out all of the implications. I have to agree with him on that, and I believe that the SELB should be held accountable for its unacceptable bias in its most recent consultation, when it clearly weighs heavily towards option A. I believe that Harry could still educate us on a thing or two. Indeed, I suggest that the SELB go to him for some extra tuition on that very matter. I believe, along with him, that the proposed collegiate bilateral fails on three criteria: the probability of increased educational standards, the increased financial efficiency, and the probability of the effect on the morale and level of motivation within the affected schools, and its effect on the degree of involvement, commitment, support and confidence of parents, boards of governors and the wider community.

We have been out in the community discussing the threats to the Dickson two-tier system; and, time and again, its distinctive features, such as delayed selection at age 14 as opposed to age 11, have been raised.

### 7.15 pm

The community also believes that there is a real benefit in schools having their own separate identity and autonomy. If a comprehensive, all-ability school is imposed against the will of the community, it will undoubtedly lose the backing and buy-in of that community and will result in a loss of families from the area as they seek the education that they require for their children elsewhere. At present, the cherished and respected Dickson plan system of

education is under severe threat from people who wish to rid the community of a system that it overwhelmingly wishes to retain.

The SELB has brought forward proposals for the future of post-primary education in the Craigavon area. Option A would, ultimately, impose a system whereby, after children attend one of the local junior high schools, they would transfer to the bilateral all-ability comprehensive school where a one-size-fits-all method will be adopted. Meanwhile, option B is the only one that seeks to protect the Dickson two-tier system. Only option B will protect the provision of quality grammar school education in the Craigavon area and the high standard of vocation-oriented education that is offered by Craigavon Senior High School.

The SELB has also ignored the primary school sector and has not consulted it, even though there are 12,000 primary pupils in its board area. The impact of the proposed changes will be felt the most by those pupils. If the system is destroyed by option A, it will undoubtedly lead to fewer children attending local primary schools as families migrate to other areas. More children will take the AQE test to transfer to grammar schools outside the Craigavon area. Indeed, the uncertainty that has been created by the SELB has already had an impact on parents who have decided to send their children elsewhere because of the difficulties and hurdles to come.

The Minister needs to look closely at the consultation process on which the SELB has embarked, given the issues that Members have raised in the House today. The public does not want to see the introduction of a comprehensive system in the Craigavon area. In fact, 83% of people said that in the previous consultation and I know that the SELB has received a similar deluge of responses to the most recent consultation.

I will finish with another comment by Mr Harry Armstrong, who stated:

*“The two-tier system has been an outstanding success and should be regarded as a hugely valuable asset to this community. It may not be absolutely perfect but, in my view, the perceived imperfections can be corrected, with good will, inside the system.”*

**Mr Irwin:** I thank my colleague the Member for Upper Bann Stephen Moutray for securing this debate. There is one Dickson plan school in my constituency of Newry and Armagh, namely Tandragee Junior High School. The Dickson plan has served the Upper Bann and Tandragee catchment areas well for over 40 years. The achievements of pupils who were educated through the Dickson plan have been notable and, year on year, the results speak for themselves.

The unique attribute of the system whereby selection is carried out at age 14 means that young people are streamed to a school that better serves them at that stage of their development, matched to their emerging and growing abilities. That fact has been clearly demonstrated in the results. Indeed, in the recent consultation that was carried out by the SELB, 86% of people expressed a desire to retain the system. That comes from an overall satisfaction among parents, many of whom came through the Dickson plan themselves.

The phrase, “Do not fix what isn’t broken” has been well used in relation to this issue over recent months and it is

applicable to this debate. The option that makes the most sense is option B, and I have no hesitation in stating my desire to see the system retained. The pursuit of option A by the SELB and the Minister does not have the support of my constituency, and many view option A as the removal of choice that would lead to a reversal of the reputation that the area enjoys for providing an all-encompassing educational experience for pupils.

The creation of a single-site senior high school in Portadown with a four-year model, and the retention of Portadown College and Lurgan College will ensure that choice is retained and that, most importantly, children are streamed to schools that meet their needs. Again, why fix what is not broken?

I have spoken to people in my constituency who have sent or currently send their children to one of the Dickson plan schools. Their overall response is one of contentment with the system.

Parents and pupils are content with the Dickson plan and see it as having a very valued future in the Craigavon and Tandragee catchments.

If we listen to the strong arguments put forward for its retention by the schools that have spoken out, we cannot countenance a comprehensive system that would undoubtedly dilute and undo the tremendous work that has been done through the Dickson plan since its inception. In my constituency of Newry and Armagh, we are listening attentively to arguments for and against a wide range of proposals for the future of controlled education in the constituency. There are options being debated for schools in Armagh city, Markethill and, as the debate today has highlighted, in Tandragee through the Dickson plan.

“Choice” is the key word in the argument, and it must be upheld. Tandragee Junior High School continues to perform magnificently and, as a school in my constituency, caters exceptionally well for its pupils. Indeed, it performs admirably financially. The school is a fantastic resource and continues to develop and ensure that its pupils have the very best opportunities. Those attributes are noted and supported through this debate, and I fully support the efforts of my party colleagues in Upper Bann to put forward a clear message to the SELB and the Minister. That is a message that I fully support, add my voice to and agree with.

**Mr Kinahan:** I speak on behalf of Mr Gardiner, who is chairing a board of governors meeting this evening. I thank Mr Moutray for securing tonight’s debate.

I start by going on record as saying, as others have, that the Dickson plan has served the north Armagh area well over the last 40 years. It removed the negative aspects of selection at age 11, allowed late developers to develop and provided what was, in many ways, a model school structure that the entire Province would have done well to follow. It has also produced some notable educational achievements and a long record of excellent examination results in what are some of the Province’s best schools. Why it needs to be altered escapes most people in north Armagh.

Support for the Dickson plan remains vigorous and strong across the Craigavon area. Recently, a consultation by the Southern Education and Library Board on the post-primary area plan, as we have heard, demonstrated that 86%

wanted to retain the system. With that level of support, we have to ask the Minister why he persists with his attempts to dismantle it. Do his plans for the future of education command that level of support in the rest of the Province? The answer is definitely no. When we look at the ESA Bill, from the survey that I have done, a similar figure — 85% — do not even know what is in the Bill, so they do not know whether to support it or not.

It is clear that the Minister intends to use force on the education system. Indeed, the maintained sector in Lurgan has already been submitted to that. Now the Minister wants to extend that to the controlled state sector. This is a system that —

**Mr O’Dowd (The Minister of Education):** On a point of order, Mr Principal Deputy Speaker. I do not think it is appropriate for a Member to stand up and accuse a Minister of using force in his role. If the Member has an accusation to make about me abusing or not following my ministerial code of conduct, he should make that through the formal channels instead of making wild allegations such as that.

**Mr Principal Deputy Speaker:** I did actually note that remark. I remind the Member about the Speaker’s ruling about good temper and moderation in language.

**Mr Kinahan:** I take back the word “force”. It is the mental method of making it happen, which is a type of force, but I take back that comment. Now I have lost my place.

Many people now want to recreate the grammar schools that we have in England and that have been a great success there for the last 50 years. Those schools are the one way of giving people a chance, especially the disadvantaged. We should retain that here, in the form of the Dickson plan, in Northern Ireland.

**Mrs D Kelly:** Will the Member give way?

**Mr Kinahan:** I would like to carry on for a moment.

I have called on the Minister many times to sit down with us and discuss the future of selection and grammar schools openly with all parties. However, to date, despite his saying that he has an open door, we have never yet had a chance to do that. Consensus has to be the way forward, and the Dickson plan is one of the best examples. We should go forward in that manner.

Recently, in the national press, we heard Sir Michael Wilshaw, the Chief Inspector of Education, say that the present state system in England was failing to nurture the brightest people. That is the system that we are trying to put in place here. The report says that bright children are being systematically failed by England’s non-selective secondary schools. The Dickson plan here assures that that does not happen.

We need to be clear that the destruction of the Province’s grammar schools is Sinn Féin’s aim. Most of us suspect that that has more to do with denying opportunity to children whose parents cannot afford private education so that they cannot get on in the world than it has to do with educational ideas. The Sinn Féin plans will end up creating an underclass. These often illogical and discredited educational ideas, which I have referred to in previous speeches as Marxist, are very much Sinn Féin’s Marxist text book of the 1970s. I feel that they are often based on prejudice rather than on facts. The principle that should

guide educational change should be to retain what is working well in the system and to build up the parts of the system that are not working. It should not be to dumb it all down.

**Mr Principal Deputy Speaker:** Will the Member bring his remarks to a close?

**Mr Kinahan:** We are here to support the Dickson plan and option B, and I am glad to see such good support from many of the other parties. I hope that they will do the same in opposing the ESA Bill.

**Mr Storey:** I place on record my appreciation to my colleagues in Upper Bann, who, for a long time, have campaigned on many of the challenging issues in any structure or any system, no less when an area plan is being presented for a particular location. I place on record my appreciation to the MP for the area and my MLA colleagues. We have met representatives from the schools in Craigavon numerous times over the past number of years. That was a new experience for me because, in my part of the world, in north Antrim, the structure of Dickson and the two-tier system is totally foreign to us. However, it is abundantly clear that the people whom Dickson serves have given their support to that system.

I welcome the fact that the Minister is here. We have had our differences on many issues, and I am sure that we will continue to have them. However, on these occasions, he commits himself to be here to listen to the arguments. I know that it always heartens him when I stay on and participate in these debates.

Let us get to the core of the issue. The education and library board will determine the future of Dickson tomorrow. I wanted the Member to take an intervention. I want the Ulster Unionist Party to give us an assurance in this House tonight — I will be happy to sit down and allow it the opportunity to do so — that it has done all that it can to ensure that its party members who have a vote to cast do not in any way support option A tomorrow. It is fine to come to this House, throw salvos at the Minister and blame everybody else, but a decision will be taken tomorrow by the education and library board. Will that be endorsed by those over whom, we believe, the Ulster Unionist Party has control? The focus of the debate has to be on ensuring that what parents have bought into and what pupils have benefited from is maintained and improved upon.

### 7.30 pm

I have no doubt that, like any other system, there are issues in the Dickson plan that could be improved upon and enhanced. However, when I see the conditions that prevail at the minute at the Lurgan campus of Craigavon Senior High School, I think that it is scandalous that we have young people in such conditions and that they are basically hemmed in by and landlocked in a provision that I think is well past its sell-by date. The Minister well knows that I have repeatedly suggested that, whenever we look at these plans, we put in a capital alignment plan that says, "This is what will happen should a proposal be agreed on about the future structures in your area.". Of course, we know that Lurgan College does not have the capital provision that it was promised. Let us also remember what is different about the Dickson plan: we are talking about schools that are in the controlled sector. So, as passionate as my party and I are about the matter, let us remember

that some have come late to defending the controlled sector. Some have decided that it is probably now politically advantageous for them to advance the controlled sector, but let us also remember that it is not all about just one sector over another. It is about the tapestry of educational provision, whether that is in the junior or senior sector in Craigavon, a grammar school or a non-selective secondary school. I think that that provision has served us well, even though there are issues and challenges that I believe we have to address.

**Mr Moutray:** I appreciate my colleague giving way. He referred a second ago to the meeting of the education subcommittee of the SELB that will be held tomorrow morning in Armagh. Can I confirm that our representative on that subcommittee will vote for option B? Like the Member, I hope that the Ulster Unionists can confirm tonight that its two representatives on that board will also fall in behind us.

**Mr Storey:** I thank the Member for his intervention, and I also thank him for that confirmation. It is easy for us to accuse others and to tell them what they should do, but there is an opportunity for people at the meeting of the education and library board to indicate clearly where they stand on the future of the Dickson plan.

I would not agree with Mr Kinahan that you can somehow replicate the Dickson plan across Northern Ireland. That is because there are people in many other sectors of our education system who would not be comfortable replicating what is in that plan. However, if we go to Kilkeel, we find that another system operates there, and if we go —

**Mr Principal Deputy Speaker:** Could the Member bring his remarks to a close?

**Mr Kinahan:** Will the Member give way?

**Mr Storey:** Yes. I do not have time, but I am happy to give way.

**Mr Kinahan:** Thank you very much for giving way. I was not proposing that we replicate —

**Mr Principal Deputy Speaker:** I am sorry, but the Member's time is up. I call the Minister of Education.

**Mr O'Dowd:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas le Stephen Moutray as an ábhar díospóireachta seo a ardú. I thank Stephen Moutray for raising this topic of debate.

A Phríomh-LeasCheann Comhairle, I am very clear that my main aims as Education Minister are to raise educational attainment levels and to close the performance gap that is still evident in our system. To help to achieve that, we must ensure that all our young people have access to a broad and balanced curriculum. We must ensure that we equip our children with the knowledge and skills that they need to be active contributors to society and to the economy in the future. We must also ensure that none of our children is left behind. I will return to that subject later.

To do that, we need a network of schools that are educationally and financially sustainable and can deliver the revised curriculum and the entitlement framework. We also need to make best use of the resources available to us. That will require change. It will require sectors coming together to plan to meet the needs of all children, regardless of their background or where they live.

I appreciate that change can be difficult. It takes strong leadership to bring forward a change process for the greater good, and it takes courage to implement that change. Area planning provides us with the opportunity to bring about that change and to develop creative and innovative solutions that are in young people's best interests. It is, of course, for the school managing authorities in the first instance to plan the future pattern of education provision. They must take the broad view and set aside narrow sectoral interests to put the interests of children above the interests of institutions.

At this point, it may be worth reminding all parties in the Chamber that they have no representatives on the boards. The DUP representative there is representing whichever council he or she was nominated from. The Ulster Unionist representative there is representing the council by which he or she was nominated. I would be concerned if we were to start bandying about what our party colleagues are going to do. They are answerable to other structures, rather than party structures.

**Mr Storey:** Will the Minister give way on that point?

**Mr O'Dowd:** Very quickly.

**Mr Storey:** Will the Minister accept that, given that they represent local authorities, based on the survey that has been carried out, the majority of those in the local authorities are exercising their right to express an opinion that is opposed to the plan?

**Mr O'Dowd:** I am not questioning the members' voting tomorrow. They will vote as they see fit. What I am saying is that they have to be careful not to go into the room representing political parties.

In one sense, it is fortunate that I am here as Minister, but, in another, it is unfortunate because then there would be an alternative voice on the Dickson plan coming from the Floor. To the Members opposite, the Dickson plan is two schools: Lurgan College and Portadown College. Indeed, during Question Time in this Chamber once, I had to remind Members on the opposite Benches that there were more than two schools in the Dickson plan. There is Clounagh Junior High; Craigavon Senior High; Killicomaine Junior High School; Lurgan Junior High School; St Mary's High School, Lurgan, in the Catholic sector; St Paul's Junior High School, Lurgan, in the Catholic sector; and Tandragee Junior High School. Then, there are the colleges: Portadown College and Lurgan College and St Michael's in the Catholic sector. I appreciate that, tonight, we are dealing only with the controlled sector because of the role of the SELB and so on, but the Members opposite had to be reminded of those other schools because they were fixated on the needs of only two of the schools: Lurgan College and Portadown College. That is where the mistake lies in their debate.

The origins of the Dickson plan, a feature of our current educational structure in the Craigavon and Armagh areas, lie in agreed local arrangements, but it cannot be viewed in isolation. An area plan should meet the needs of all the children in the area. I am on record as stating that the Dickson plan is a form of academic selection. Many Members have said that it is academic selection at 14 and that makes it better. The flaw in the plan is that, at 14, children are separated into different schools, and no one has ever given an explanation for that. Why cannot those children be educated in the one educational centre,

where they remain among their peers and school friends who they have gone to school with since primary school? Why do we have to separate them at 14 to ensure that they have an excellent education? Selection involves rejection.

Mrs Kelly made the interesting comment that children have to learn failure. That is an interesting philosophy, but, the difficulty for me with this arrangement is that children who experience failure usually come from the lower socio-economic groups. That is totally unacceptable.

**Mrs D Kelly:** Will the Minister give way?

**Mr O'Dowd:** I will go on, because I am conscious of the time.

The statistics on free school meals at the schools involved in the Dickson plan make interesting reading. At Tandragee Junior High School, free school meal entitlement is 13.7%; at Craigavon Senior High School, it is 20.9%; at St Paul's Boys High School, it is 25.6%; and, at St Mary's Girls High School, it is 21.3%. Now to the two schools that the Members opposite are most interested in. At Lurgan College, it is 5.3%, and, at Portadown College, it is 4%. Is the Dickson plan serving all of the children of the Craigavon and Armagh areas? On those figures, it is not.

Let us move on to educational attainment in the Dickson plan area. In fairness to the controlled sector in the Craigavon area, I do not think that all its views have been reflected here tonight. Both before and since becoming Minister, I have had the opportunity to engage with a wide sector of the educationalists in the Craigavon area. I disagree with some of them, and some of them disagree with me, and others have their own points of view around many matters. I engage with others regularly. It has always been done in a courteous and respectful manner, even among those who disagree with each other, and I hope and have no doubt that that will continue. The latest school leavers' data shows that the Dickson plan schools underperformed against both the Southern Board and overall averages at GCSE and at A level. So, how can Members say that it is world-class and that it is a leading educational system when it is actually underperforming against schools in the Southern Board area and against grammar schools here as well? The facts speak for themselves. At GCSE, 57% of school leavers achieve five or more A to C grades in the Dickson plan schools as against 61% for the Southern Board area and 62% across the North. For three or more A levels at A to C, the figure for the Dickson plan is 35% as against 37% for the Southern Board and 36% overall. Of course, there are variations across the Dickson plan area, but none of the schools beats the Southern Board average, and none of them beats our local average.

I am also concerned about the 43% of school leavers in the Dickson plan area who do not achieve five good GCSEs including English and maths. Does it serve all the children? Not according to that figure. It was also notable that three selective 14- to 18-year-old schools admitted far fewer pupils entitled to free school meals than the non-selective schools. That mirrors the position right across our selective sector.

My focus is on addressing educational underachievement wherever it exists and driving out inequalities in our education system, and I apologise to no one for that. Mr Kinahan seems to be better versed in the English education system than in our own. I suggest that he reads up on our education system. I am not sure that even he

believes some of the stuff that he comes out with about my party, Sinn Féin, and what I do and do not believe in. It is fantasy politics, and sometimes it is quite dangerous politics. I suggest that he reads his speech before he comes into the Chamber and ensures that whoever writes it for him does not put in any of that stuff. I suspect that Barack Obama knows more about the education system here than Mr Kinahan does.

With changes across the sectors, Members will be aware that —

**Mr Kinahan:** On a point of order, Mr Principal Deputy Speaker. I was called up earlier for something that I said, and I would also like you to look at what he has just said.

**Mr Principal Deputy Speaker:** OK. We will do that.

**Mr O'Dowd:** Members are aware that the Catholic sector is moving away from the Dickson plan towards having a single school on one site. Interestingly, it has been proposed that that school will be a non-selective voluntary grammar school. That is achievable under current legislation because grammar status refers to a school's ability to charge fees, not its admissions criteria. The school will also hold on to its voluntary status. So, there is a very interesting proposal in the Catholic sector: a non-selective voluntary grammar school that meets the needs of all the children in the area. I put a challenge to those who support the Dickson plan: why can that not be achieved in the controlled sector?

**Mr Principal Deputy Speaker:** The Minister's time is almost up.

**Mr O'Dowd:** I await the outcome of the discussions with the Southern Board. I will take all the evidence on board before I make any final decisions on the Dickson plan area. My decisions will be evidence-based. I assure Members that, when I make my decision on the Dickson plan area, I will not ignore 43% of the children who live there.

*Adjourned at 7.43 pm.*





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# Northern Ireland Assembly

Monday 24 June 2013

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Campbell:** On a point of order, Mr Speaker. The parading season got off to a relatively peaceful start at the weekend. However, you, Mr Speaker, and the House will be aware of an incident in north Belfast at the Tour of the North parade where a Sinn Féin MLA was videoed impeding, it would appear, a police officer in carrying out his duty. Obviously, the Police Ombudsman has a direction and a system to investigate police officers, but can you advise what we, as a House, can do to ensure that we investigate fully what appears to be the attempted physical impeding of a police officer carrying out his duty by a Sinn Féin Member?

**Mr Allister:** Further to that point of order —

**Mr Speaker:** Order. Let me deal with this point of order first. This is a procedural matter. Members will know that, in dealing with procedural matters, I always advise them to go to the Business Office and to speak to the Clerks. A motion of this nature can be very complex. It is not a difficult motion, but it certainly needs to be fully explained to the Members who believe that they should bring such a motion to the House.

On the procedural matter, I will not go into the issue of the matter of the day that was submitted to the Business Office. I have made my decision on it and turned it down. So, where procedural issues on motions coming to the House are concerned, please talk to the Business Office. That is where we should leave this issue.

Mr Allister, if your point of order is on procedural issues, I am happy to take it.

**Mr Allister:** Thank you, Mr Speaker. Can you confirm to the House that, under the code of conduct for Members, it is stated as our public duty that MLAs should uphold the law? Therefore, given Mr Kelly's loutish behaviour last Friday, what investigation will be conducted —

**Mr Speaker:** Order. The Member knows that the issue very much rests with the Standards and Privileges Committee, which is where Members should be directed. Order. Let us move on.

## Executive Committee Business

### Suspension of Standing Orders

**Mr Attwood (The Minister of the Environment):** I beg to move

*That Standing Orders 10(2) to 10(4) be suspended for 24 June 2013.*

**Mr Speaker:** Before we move to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Orders 10(2) to 10(4) be suspended for 24 June 2013.*

**Mr Speaker:** As there are Ayes from all sides of the House and no dissenting voices, I am happy that cross-community support has been demonstrated.

## Planning Bill: Consideration Stage

**Mr Speaker:** I call the Minister of the Environment, Mr Alex Attwood, to move the Consideration Stage of the Planning Bill.

*Moved.* — [Mr Attwood (*The Minister of the Environment*)]

**Mr Speaker:** Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

I inform Members that a valid petition of concern was presented on Friday 21 June 2013 in relation to amendment No 24. I remind Members that the effect of the petition is that the vote on amendment No 24 will be on a cross-community basis.

There are three groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment Nos 1 to 19, 21 to 23, 27, 31 and 33. The group deals with environmental and cultural protection, economic development, well-being and shared use of the public realm, together with Mr Agnew and others' opposition to clause 6 stand part. The second debate will be on amendment No 20, which deals with economically significant planning zone schemes. The third debate will be on amendment Nos 24 to 26, 28 to 30, 32 and 34, which deal with appeals, commencement and technical amendments.

Once the debate on each group is completed, any further amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

*Clause 1 ordered to stand part of the Bill.*

### **Clause 2 (General functions of the Department and the planning appeals commission)**

**Mr Speaker:** We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 19, 21 to 23, 27, 31, 33 and opposition to clause 6. The amendments deal with environmental and cultural protection, economic development, well-being and shared use of the public realm. Members should note that amendment No 3 is mutually exclusive with amendment No 4, that amendment No 10 is mutually exclusive with amendment No 11 and that amendment No 16 is mutually exclusive with amendment No 17.

**Mr Agnew:** I beg to move amendment No 1: In page 1, line 15, after "improving" insert "social".

*The following amendments stood on the Marshalled List:*

No 2: In page 1, line 16, leave out sub-paragraph (c).— [Ms Lo.]

No 3: In page 1, line 16, at end insert "(d) promoting environmental protection".— [Mr Agnew.]

No 4: In page 1, line 16, at end insert "(d) protecting the environment".— [Mr Elliott.]

No 5: In page 1, line 16, at end insert

*"(1A) For the purposes of this Order "sustainable development" means development that seeks to deliver*

*the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.".— [Ms Lo.]*

No 6: In page 1, line 19, leave out from "achieving" to the end of the line and insert

"—

*(a) achieving good design; and*

*(b) promoting shared use of the public realm between persons of different religious belief, political opinion or racial group.".— [Ms Lo.]*

No 7: In page 2, line 5, at end insert

*"(3) The Department must, not later than 3 years after the coming into operation of section 2(1) of the Planning Act (Northern Ireland) 2013, review and publish a report on the implementation of this Article.*

*(4) The Department must make regulations setting out the terms of the review.".— [Mr Attwood (*The Minister of the Environment*)]*

No 8: In page 2, line 11, after "improving" insert "social".— [Mr Agnew.]

No 9: In page 2, line 12, leave out sub-paragraph (iii).— [Ms Lo.]

No 10: In page 2, line 12, at end insert "(iv) promoting environmental protection".— [Mr Agnew.]

No 11: In page 2, line 12, at end insert "(iv) protecting the environment".— [Mr Elliott.]

No 12: In page 2, line 13, at end insert

*"“(2A) For the purposes of this Act "sustainable development" means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.".— [Ms Lo.]*

No 13: In page 2, line 15, leave out from "achieving" to the end of the line and insert

"—

*(a) achieving good design; and*

*(b) promoting shared use of the public realm between persons of different religious belief, political opinion or racial group.".— [Ms Lo.]*

No 14: In page 2, line 20, after "improving" insert "social".— [Mr Agnew.]

No 15: In page 2, line 21, leave out paragraph (c).— [Ms Lo.]

No 16: In page 2, line 21, at end insert "(d) promoting environmental protection".— [Mr Agnew.]

No 17: In page 2, line 21, at end insert "(d) protecting the environment".— [Mr Elliott.]

No 18: In page 2, line 21, at end insert

"(aa) after subsection (1), insert -

*"(1A) For the purposes of this Act "sustainable development" means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.".— [Ms Lo.]*

No 19: In page 2, line 23, at end insert

*“promoting shared use of the public realm between persons of different religious belief, political opinion or racial group; and”.*— [Ms Lo.]

No 21: In clause 6, page 5, line 23, after “economic” insert “and environmental”.— [Mr Elliott.]

No 22: In clause 6, page 5, line 25, at end insert

*“(1A) In that Article after paragraph (3) add—*

*“(4) The Department must, not later than 3 years after the coming into operation of section 6(1) of the Planning Act (Northern Ireland) 2013, review and publish a report on the implementation of this Article.*

*(5) The Department must make regulations setting out the terms of the review.”.*— [Mr Attwood (The Minister of the Environment).]

No 23: In clause 6, page 5, line 30, after “economic” insert “and environmental”.— [Mr Elliott.]

No 27: After clause 16 insert

**“World Heritage Sites**

**16A.**—(1) Before Article 50 of the 1991 Order (Conservation areas) insert—

**“World Heritage Sites**

*49A(1) In exercising any powers under this Order in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—*

*(a) protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and*

*(b) Preserving the character and appearance of the World Heritage Site or its buffer zone.*

*(2) In this Article—*

*“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;*

*“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;*

*“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.*

*(2) Before section 104 of the 2011 Act (Conservation areas) insert—*

**“World Heritage Sites**

**103A.**—(1) In exercising any powers under this Act in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—

*(a) Protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and*

*(b) Preserving the character and appearance of the World Heritage Site or its buffer zone.*

*(2) In this Section—*

*“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;*

*“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;*

*“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.*— [Ms Lo.]

No 31: In clause 27, page 16, line 31, after “1” insert “2(1), 6(1)”.— [Mr Attwood (The Minister of the Environment).]

No 33: In clause 27, page 16, line 33, at end insert

*“(1A) Sections 2(1) and 6(1) come into operation 4 months after the day on which this Act receives Royal Assent.”.*— [Mr McCallister.]

**Mr Agnew:** Planning is fundamental to everything that we do in society. How we plans our towns, cities and rural areas is key to our health and well-being. That is why it is important to get planning right. My concern about elements of the Bill and some of the amendments that we will debate today is that we are in a rush to get planning quickly, at the expense of getting it right. No one would argue against making planning more efficient. There is no doubt that our track record has been poor, and it favours neither developer nor objector. It favours no one if development is slow or decisions are slow. I have no doubt that the Environment Minister will point out that we have seen improvements. I share the desire of, I suspect, many in the House to improve the efficiency of the Planning Service, but I do not think that we should do so at the expense of getting planning right, and I fear that we may be travelling in that direction.

Planning is for the long term. We have to plan not just for today but for decades and future generations. I am concerned that certain elements of the Bill and some amendments are very much about the here and now: quick fixes and knee-jerk reactions to current events rather than good planning for long-term sustainability.

Elements of clauses 2 and 6 cause concern for many. We are concerned that we will see a polemical argument, a debate between those who support communities and those who support developers. I am afraid that there will be a division between those who support communities having their say in planning and those who seek to restrict and deny communities the right to have a say in how their town, city or area will develop. There will be those in the House who have a holistic view of our society and those who reduce everything to mere pound signs. This could be a debate between those who look to the long term and those driven by solely economic short-termism. We see a tension between those who want fairness and balance in the planning system and those who wish to load the dice. There are those who want to see Northern Ireland open for business and those who would leave us wide open to the exploitation of our communities and environment.

Those of us who have opposed fracking and look to the planning regulations to ensure that any decision on fracking and other major developments of that kind, specifically petroleum developments, have been assured that we will have strong regulations and will not make the mistakes that were made across the Atlantic in America, where a deregulated system allowed the health and well-being of communities to be put at risk for the search and drive for profit and cheap energy. We have been told that that will not happen in Northern Ireland, but my fear is that

that is exactly what will happen if we pass some of the amendments proposed today.

Clauses 2 and 6 were of major concern to many at Second Stage. For those who see the importance of planning in furthering the well-being of our society as a whole, there is concern that the economic drivers in clauses 2 and 6 are over and above other concerns such as environmental protection and social well-being. There was some debate about how we should amend those clauses, whether we should amend them at all or simply reject them and how we should take things forward.

It is very much my view that the inclusion of sustainable development in the Bill was sufficient to promote economic development and that sub-paragraph (c), mentioned in clause 2, is not required because it was already implicit in the term “sustainable development”. There are two ways to approach this. Alliance has tabled amendment No 2, which would remove sub-paragraph (c). That is certainly one avenue that the Green Party looked at. However, there is another way: if we are to be explicit about sustainable development, we can spell out its aspects.

One of the definitions of sustainable development is to seek a balance between the competing needs of economic development, social well-being and environmental protection. If we remove economic development, we are accepting that it is implicit in the sustainable development clause. I am certainly willing to support the Alliance Party’s amendment to do that, but I suspect, in advance of the debate, that there will be those who will preciously protect clause 2(1)(c), “promoting economic development.” If it is the will of the House that that must remain, and if we are going to be explicit about one element of sustainable development, indeed two, because promoting well-being is there as well, we should be explicit about environmental protection. If we are not, it will leave many concerned, as is often the case, that environmental protection is the lesser cousin of the economic agenda.

#### 12.15 pm

Amendment No 3, which has been proposed by the Green Party, and amendment No 4, which has been proposed by the UUP, and their consequential amendments, seek to be explicit about environmental protection and to make clear in the Bill that that is a material consideration. I am interested in the views of the House on the two wordings. It is clear that the Green Party and the UUP are of a similar mind in what they are trying to achieve through those amendments. We favour the term “promoting environmental protection”, to be consistent with promoting well-being and promoting economic development. That would ensure that we did not send a signal that we thought that one was greater than the other, because, whilst it is often perceived that the Green Party is interested solely in promoting the environment and environmental protection, ultimately, we seek to achieve a balance between economic development, social well-being and environmental protection. We believe that our amendment would achieve that, but we certainly do not object to the Ulster Unionist amendment. If the House is of the mind to reject amendment No 3, we will certainly support the Ulster Unionists’ amendment, but, as I say, amendment No 3 is the wording that we feel most appropriate. However, I am willing to listen to the views of Members on that issue.

I do not think there is anything to fear from the inclusion of a paragraph on environmental protection. As I said, sustainable development inherently includes environmental protection, as it does the protection of social well-being and the promotion of economic development. Therefore, it is already implicit in the Bill, but if we have sought to make well-being and economic development explicit material considerations, we should give equal weight to environmental protection. For that reason, I ask the House to support amendment No 3.

Another approach, which was considered by the Green Party, is to explicitly define sustainable development, as the Alliance Party seeks to do with amendment No 5. In tabling amendment No 3, the Green Party has attempted to pull out explicitly the elements of sustainable development. However, I have concerns about explicitly defining sustainable development using the definition proposed by the Alliance Party. I am certainly sympathetic to that objective, and I will let the proposers speak for themselves, but I believe that it is an attempt to ensure that the balance of competing needs between environmental protection and economic development are protected in the Bill.

Sustainable development is a complex principle, and I am concerned about the definition that amendment No 5 sets out, because it simplifies sustainable development and, perhaps, in doing so, restricts how it can be applied, possibly not only in this Bill but in other legislation such as the Northern Ireland (Miscellaneous Provisions) Act 2006, which has a sustainable development clause. I am uncertain as to the outworkings of defining sustainable development in that way.

My other concern is about how that definition has been applied already in planning policy. The definition has been lifted from PPS 1. If planning decisions and the Planning Service had a history of promoting sustainable development in the way in which I understand it, maybe I would be more content to support the amendment. However, the record to date is that, with current planning policy and guidance, we still have not got to real sustainable development as I understand it. At times, economic drivers still seem to trump the other two pillars of sustainable development, which are social well-being and environmental protection. I have concerns about amendment No 5. I will certainly listen to the proposer and be informed by the debate. However, at this point, I just want to outline those concerns.

Amendment No 1 has been proposed by the Green Party. It inserts the word “social” before the word “well-being”. I want to explain our intention with that amendment, because it is one that we have taken some time to consider. There is uncertainty as to how well-being will be interpreted. I argue — and it fits with some of what I have said already — that well-being should be fairly narrowly defined in the sense that “well-being” could mean financial well-being, but that is already covered by the promotion of economic development. It is my contention and that of the Green Party that “well-being” should mean social well-being — public health and the well-being of society. In one sense, it is narrow in that it should be restricted to that and should not be about economic well-being. However, in another sense, it is general as opposed to specific: in general with regard to society as opposed to the individual.

Another of my concerns is that “well-being” could be looked at as an individual’s well-being. Certainly, one

could assume from the outset that any developer who proposes a development will see their well-being being promoted by the development. The key question, however, is whether society's well-being — social well-being — is bettered by any development. That is how I would like to see that element of the Bill being defined. Again, I will be interested to hear from the Minister and others about their understanding of "well-being". It is not a clearly defined term, either in the Bill or elsewhere in law. It is, certainly, the aim of amendment No 1 to make it about wider society's well-being, public health and social well-being.

Clause 6, again, is a clause of major concern. Whilst many people have concerns about the agenda behind the inclusion of "promoting economic development" in clause 2, I think that it is not simply the agenda of clause 6, but its actual outworkings, that cause real concern. The consideration of economic advantage and disadvantage, in my view, takes planning beyond where it belongs. I can explain that only by looking at specific examples. If somebody wants to change the use of retail premises to a café, it will, of course, be to the proposer's economic advantage. However, to the café down the road, it will be a disadvantage. Is it for Planning Service to make the judgement as to whose economic advantage is prioritised? Is it that of the existing premises holder or the proposed development? Is that what the planning system is there to do? I am not convinced that it is, and I worry about that.

I said at the outset that we all want to see a more efficient planning system, but I think that this will do the opposite and lead to legal challenges over every supermarket that is proposed. Although there seems to be some attempt here to streamline the planning process for major economic development, I think that, through this clause, every major economic development will be challengeable in law, because someone will, undoubtedly, be economically disadvantaged by a significant economic planning application.

Although I have concerns that the agenda is to prioritise economic development over other concerns such as social well-being and environmental protection, my major concern is that this will not even do what it seeks to do. It will just clog up our planning system further, and that is the last thing that Northern Ireland needs. The last thing we need is more inefficiency in our system, slower decision-making and more legal challenge. Again, there will be some debate today about how we address that.

I believe that clause 6 is detrimental, and that is why I stated my intention to oppose it. I think that the UUP amendment improves the clause by looking at environmental advantage and disadvantage along with economic advantage and disadvantage. Even with that amendment, I still think that it is a bad clause and will still oppose it. However, I support the amendment, because I appreciate what it seeks to do, and because I think that it would bring balance through the twin priorities of environmental protection and economic development. Nevertheless, I do not think that it will make a bad clause a good one, and that is why I still intend to oppose the clause but support the UUP amendment.

Moving on to amendment No 6, which deals with the promotion of shared use, the Green Party certainly supports the principle of doing everything we can to increase shared housing and shared living in our society. If the amendment can help us to bring that about through our planning system, we are willing to support it. I will leave

it to the proposer to go into more detail on the intention of the clause. I will listen with interest and respond more fully when I make my winding-up speech.

I welcome amendment Nos 7 and 22, as proposed by the Minister, as they provide for a review of clauses 2 and 6 after three years. Again, I repeat the point that that will not make clause 6 a good clause, but it will offer some mitigation if the clause is, as I have suggested, harmful rather than helpful to our planning system, because, in three years' time, we can come back to look at the clause and reform it, and that is equally the case for clause 2. So, I welcome the Minister's amendment, as I see it as being only helpful to the outworkings of the Bill.

Finally, amendment No 27 proposes to provide protection in law for what is currently our one and only UNESCO world heritage site. I think that the protection of the Giant's Causeway is a no-brainer. I have talked about the fact that, to date, there has been some tension between environmental protection and economic development. However, here is a site that is of value in both respects. It is a wonderful example of Northern Ireland's natural heritage, which we rightly promote all around the world. Indeed, we have a responsibility as a society to protect what is a world heritage site. It does not belong to us — we certainly benefit from it — but, as a world heritage site, it has been deemed to be of importance to the world. It is a phenomenal achievement and privilege to have such a site in Northern Ireland, and we have a phenomenal responsibility to protect it on behalf of the world. I urge the House to support the amendment.

### 12.30 pm

The Giant's Causeway is a great economic driver. It is the second most visited natural heritage site in Northern Ireland. I am proud to say that the most visited natural site in Northern Ireland, Crawfordsburn Country Park, is in my constituency of North Down. However, I will accept that, when it comes to bringing in foreign tourism, maybe the Giant's Causeway brings in more than Crawfordsburn Country Park. So, it has huge economic importance to us. Any risk of losing that UNESCO designation must be avoided. In recent weeks, UNESCO has said that the site does need protection in law. I think that we should accede to that request and ensure that we maintain good relationships with UNESCO in the maintenance of the site and help the UK facilitate its duty to protect the site. More than that, we should do the right thing. We are guardians of this site for the world, and we have a responsibility to protect it.

Mr Speaker, I will draw my comments to a close. As I said at the outset, planning can often get lost in technicalities. It is not something that we see as much public debate around as we maybe do with some other Bills, because it is complex in its nature. However, there is no doubt that, from our health to our economic well-being, planning is fundamental to everything we do as a society. I will conclude by saying that its importance is being recognised by the wider public. Like me, every MLA will, I am sure, have had their inbox filled by calls for us to amend the Bill. I hope that we will be shown to be a listening Assembly and deliver a Bill that gives communities the right to have a say in how their towns, cities and rural areas are planned. More directly, that will show that, when this Assembly is

lobbied by vast numbers of our citizens, we listen and respond to their requests.

**Mr Hamilton (The Deputy Chairperson of the Committee for the Environment):** I shall speak initially on behalf of the Environment Committee. Unfortunately, the Chair has found herself not able to fulfil her duties today. I will do my best to be an able substitute. I will follow that with some comments made in a personal capacity.

Let me begin by welcoming the Consideration Stage of the Planning Bill. After the Marine Bill, the Committee urged the Minister to ensure that there were no undue delays with any of his other Bills at Consideration Stage. The Minister has listened to that and taken those comments on board, as the Committee only agreed its report on this Bill just over two weeks ago. I hope that that is an example of the swift and speedy nature that, I think, the Minister, and all of us, wants to see in the planning system. Maybe this is an example of how that might work in practice.

The Committee gave the Planning Bill very careful consideration. It was referred to us on 22 January this year. The Assembly subsequently agreed to extend Committee Stage until 7 June. That allowed us the time to put out a call for evidence. Over 100 organisations and individuals responded to us with their views on the Bill. I want to put on record the Committee's gratitude to all those who put the time and effort into responding. A number of consistent themes emerged from the evidence that we received. I will begin by addressing the issues on which there was broad consensus.

The Planning Bill's key objective is to bring forward the implementation of a number of planning reforms that are in the Planning Act (Northern Ireland) 2011 before the majority of planning powers transfer to local government in 2015. The majority of those who responded had no problem with that as an objective and neither did the Committee. Bringing forward these reforms means that not only will they be allowed to become understood and established in advance of the transfer of powers but their benefits can be realised much sooner. It is sensible that that should happen, and it is notable that none of the 34 amendments on the Marshalled List seeks to prevent the accelerated introduction of those reforms.

There was much greater concern about clauses 2 and 6. Those clauses provide for the introduction of two new reforms that were not in the 2011 Act. Clause 2 provides for the Department, when exercising particular functions, to do so with a new objective of promoting economic development. That sits alongside the other objectives of furthering sustainable development and promoting or improving well-being. Clause 6 provides that material considerations in the determination of planning applications include a reference to:

*"considerations relating to any economic advantages or disadvantages likely to result"*

in granting or refusing planning permission.

There was considerable concern about those new provisions. Many people were worried that clauses 2 and 6 would provide for economic considerations to be given greater weight than any other considerations in planning policy and when determining individual planning applications. As a result of those concerns, the Committee paid particular attention to those clauses. Given the extent

of the concerns that were raised, I think that it is important to emphasise that clauses 2 and 6 do not provide for economic considerations to be given greater weight than other considerations in planning policy or when determining individual planning applications.

The Committee acknowledges the concerns that are sincerely held by many of those who responded to its call for evidence. However, we have taken our own legal advice on the clauses, and the Committee is satisfied that those concerns are unsubstantiated. It is right that the planning system should promote economic development, but it must do so while promoting sustainable development and improving well-being. Creating a statutory objective of promoting economic development does not diminish the other statutory objectives that the Department has when exercising its planning functions. Equally, providing a statutory basis for economic considerations to be material considerations in no way limits the other considerations that may be material when determining planning applications.

The Committee therefore supports clauses 2 and 6, subject to amendment Nos 7 and 22, which the Minister tabled, being made. Those amendments in no way alter the policy underpinning clauses 2 and 6; rather, they simply provide for a review of the operation of the clauses to be undertaken within three years of their coming into effect.

Where clause 2 and its three objectives are concerned, the Committee said that the Minister should confirm to the Assembly that the terms "promoting", "furthering", and "improving" shall each be treated as meaning the same thing. The Committee went on to say that if the Minister considers that there is potential for those different terms to be interpreted as having different meanings, he should table an amendment to the Bill to provide for a consistent approach. The Minister has not tabled such an amendment, so I would be grateful if he would confirm that he is therefore satisfied that those different terms shall not be interpreted as having different meanings.

The Committee noted that the Department will bring forward a single strategic planning policy statement (SSPPS) and that that statement shall provide a comprehensive consolidation of planning policy. That statement will be crucial in elaborating and clarifying a number of issues that the Bill will introduce. The Committee recommended that the Minister should confirm at Consideration Stage that the Department shall bring forward the draft single planning policy statement at the earliest opportunity. I look forward to hearing the Minister give that confirmation.

Having made the Committee's position clear, let me now turn to the amendments. I shall start by addressing the amendments to clause 2. Amendment Nos 1, 8 and 14, which Mr Agnew tabled, seek to amend the Department's duty to promote or improve well-being to a duty to promote or improve social well-being. A number of those who contacted the Committee were unclear about what was meant by the term "well-being" or how it could be promoted. The Department told the Committee that it will elaborate on the promotion of well-being in its single planning policy statement. That statement will also address social considerations as well as other issues. The Committee was satisfied with that approach and, as such,

does not see the need to amend clause 2 in the manner that Mr Agnew proposes.

Amendment Nos 2, 9 and 15 from the Alliance Party would have the effect of removing the Department's duty to promote economic development. I emphasise again that the Committee is satisfied that clause 2 does not provide for the Department or the Planning Appeals Commission to give greater emphasis to the objective of promoting economic development than it does to the objective of furthering sustainable development or that of promoting or improving well-being. However, clause 2 does define the objective of promoting economic development as an objective separate from the objective of furthering sustainable development. Treating those objectives as separate does not have the effect of giving one greater weight than the other.

It is right that the promotion of economic development should be a separate objective. The Department says that, without compromising the wider purposes and principles of the planning system, it is timely, appropriate and legally correct to affirm through the Assembly and the Planning Bill that economic considerations are material when it comes to preparing planning policy. The Department goes on to say that that reflects the Programme for Government and the direction provided by the Executive for the economy. The Committee agrees that that is the case. It would be entirely wrong, therefore, to remove the Department's duty to promote economic development. The Committee does not support those amendments.

I will deal with Mr Agnew's amendment Nos 3, 10 and 16 and the Ulster Unionist Party's amendment Nos 4, 11 and 17 together. Mr Agnew's amendments would create a duty for the Department to promote environmental protection, and the UUP's amendments would create a duty for it to protect the environment. The amendments therefore effectively seek to do the same thing.

We all agree that the Department must protect the environment. However, it is already the case that the Bill provides a duty for the Department to further sustainable development. That duty will encompass environmental protection, so there is no need for a separate duty to protect the environment. Indeed, if we create a separate objective of promoting environmental protection, what does that mean for the sustainable development objective? Is a sustainable development objective in any way meaningful if it is separate and different from environmental protection?

The Department assured us —

**Mr Agnew:** Will the Member give way?

**Mr Hamilton:** I suspect that I know what the Member is going to ask. I will give way, but I may answer him later. In the absence of the Chair doing this, I am reporting on behalf of the Committee. I will happily let him in now, and I will try to pick up on the point later, as long as he bears that in mind.

**Mr Agnew:** I appreciate the Deputy Chair giving way, with those conditions. Perhaps you will answer this in your own remarks later or in your role as Deputy Chair. Why was it felt that promoting economic development, which is part of sustainable development, needed to be explicit, yet explicitly putting in the protection of the environment or promoting environmental protection would somehow

undermine sustainable development? That seems incongruous to me.

**Mr Hamilton:** I did know what the Member was going to say. It is as if we are telepathic in some way. I would rather come back to that and answer it in my personal capacity, if that is OK, rather than do so on behalf of the Committee. If I forget and fail to do so, if the Member reminds me before I finish, I will come back to it. There is quite a lot to cover, as the Member, I know, appreciates. There may be a momentary lapse. It is not trying to avoid the issue. I will address it; if I fail to, remind me.

Let me see whether I can find my place again. I have plenty of time, anyway. We are not going anywhere, of course. The Department assured us that the single planning policy statement shall elaborate on the duty to further economic development and address the issue of protecting the environment. The Committee was content with that and therefore does not think that the amendments are necessary.

Amendment Nos 5, 12 and 18 from the Alliance Party seek to provide in the Bill a definition of "sustainable development". We asked the Department during Committee Stage to comment on the principle of doing that, and we gave it a specific amendment to consider. The Department told us that sustainable development has not previously been defined in planning or any other legislation in Northern Ireland. The Department went on to say that sustainable development is a concept the meaning of which has evolved and is likely to continue to evolve over time. The Department looked at the amendment and said that, although well-intentioned, it may have had the unintended consequence of limiting or reducing the scope of the concept that it wishes to promote. The Department considers it more appropriate, in line with other jurisdictions, to provide a fuller explanation of what sustainable development means in the planning context through policy and guidance. This approach allows greater flexibility to respond as the concept evolves. The Committee was content with this approach and therefore does not support amendment Nos 5, 12 and 18.

#### 12.45 pm

Amendment Nos 6, 13 and 19, again from the Alliance Party, would require the Department to have regard to the desirability of promoting the shared use of the public realm between persons of different religious belief, political opinion or racial group. The Department told us that it was committed to proactively promoting shared, safer and welcoming spaces through the planning system. However, it suggested that this objective would be best dealt with through the forthcoming guidance on sustainable development, and the Committee had no objection to that. Therefore, the Committee does not support these amendments either.

Amendment No 7 provides for a review of clause 2 within three years of it coming into operation. I have already said this is an amendment that the Committee asked the Minister to bring forward; so, we thank him for doing that.

I now move on to Clause 6. Again the Committee gave very considerable and careful consideration to the issues raised with it on clause 6 and the Department's responses. The Committee also sought its own legal advice. The Committee concluded that it is appropriate that

considerations relating to any economic advantages or disadvantages are included in the material considerations that the Department and councils must have regard to when determining a development application. In fact, this provision will simply provide a statutory basis for something that already happens in practice. It is right that this continues to take place.

Priority number one in the Executive's Programme for Government is to grow a sustainable economy and to invest in the future. It would be wrong if the planning system were to impede that objective by dismissing economic considerations when determining planning applications. However, that does not mean that economic considerations are the only considerations that need to be taken into account when applications are determined. If it were the case that clause 6 provided for economic considerations to outweigh other material considerations, the Committee would not be content. However, clause 6 does not do that. Providing a statutory basis for economic considerations to be material considerations in no way limits the other considerations that may be material, nor does it mean that economic considerations will be given greater weight than other material considerations. Clause 6 is clear that the inclusion of economic considerations within material considerations is without prejudice to the generality of the requirement of the Department or councils to have regard to the local development plan, so far as they are material to the application and to any other material considerations.

The Department will consult on and publish further policy and guidance on how it intends to take a balanced and proportionate approach on economic considerations; an approach that works in the public interest. Therefore, having given careful consideration to all the relevant facts, the Committee is satisfied that the concerns expressed to it about clause 6 are unsubstantiated. Nonetheless, the Committee believes that there would be value in undertaking a review of the impact of clause 6 within three years of its provisions coming into effect. The Committee, therefore, supports amendment No 22, in the name of the Minister, that would provide for such a review.

Amendment Nos 21 and 23, from the UUP, seek to provide that considerations relating to any environmental advantages or disadvantages are included in the material considerations that the Department and councils must have regard to when determining a development application. Undoubtedly, this is already something that planners do. Had these amendments been suggested or put to the Committee, we could have considered them and given a view on them to the House. However, that unfortunately did not happen.

Amendment No 27 from the Alliance Party requires the Department to have regard to the desirability of protecting the outstanding universal value of world heritage sites and preserving their character and appearance. The Committee did not give explicit consideration to this amendment, so I make no comment on it on the Committee's behalf.

Finally in what is just my introduction, I turn to amendment Nos 31 and 33, which relate to the commencement of the relevant sections of clauses 2 and 6. Amendment No 31 in the Minister's name provides for them to be commenced on Royal Assent and amendment No 33 from Mr McCallister provides for them to be commenced four

months after that. When considering commencement issues, the Committee noted that the Department had signalled its intention to elaborate on key issues through the single strategic planning policy statement. The Department also said that it intends to consult widely on the planning policy statement before clauses 2 and 6 are commenced.

The Committee was concerned about the potential for a delay to the commencement of clauses 2 and 6. Despite the Department's stated intentions, it could not guarantee that the consultation on the single planning policy statement would occur by a specific date. Consequently, it could not guarantee that the commencement of clauses 2 and 6 would occur by a specific date. The Committee did not think that this was acceptable, and it asked the Department to bring forward an amendment to provide for the commencement of the relevant aspects of these clauses on Royal Assent. Amendment No 31 provides for that, and the Committee thanks the Minister for bringing it forward. In doing so, it is self-evident that we oppose amendment No 33. Mr Speaker, you will be glad to hear that that concludes my comments as Deputy Chair of the Committee. I nearly said "Chair", but I would have been promoting myself.

I want to say a few things that pick up on the question that has already been asked of me by Mr Agnew. It is very clear — there is no point in hiding it or trying to brush it under the carpet — that the view adopted by me or my party colleagues will be very different from the approach adopted by Mr Agnew. We are old and mature enough to sensibly discuss and debate our differences.

I listened to Mr Agnew say, in his earlier remarks, that the last thing Northern Ireland needed was these clauses. I think that he was specifically talking about clause 6. When Mr Agnew used that phrase, it rang a bell. I remember reading a magazine article just last week in which Mr Agnew said that the last thing we needed was the G8 summit, which went down so well that he will forgive me for not taking his advice that this is the last thing that Northern Ireland needs. His judgement on what is the last thing Northern Ireland needs is somewhat in question.

I suspect that clauses 2 and 6 are perhaps a bit of a sideshow in the debate, but, during its consideration, the Committee concentrated its time on them. I support clauses 2 and 6, as does my party, because of what they do in highlighting and underscoring not something new or novel, but something that is already the case. I have heard various terms used to describe what some people believed clauses 2 and 6 will do in giving economic considerations additional, supreme or determinative weight. That was not the conclusion of every investigation that the Committee made, every response that it received from officials or every consideration of the Committee itself, and it is not a conclusion that I came to personally.

Economic considerations are already a material consideration in the planning system. Clause 2 puts that into the legislation, which, I suppose, begs the question from some as to why we want to do that. I support those clauses, as brought forward by the Minister, for two reasons. The first relates to what we, as a place, were trying to do last week during the G8 summit, which was, to repeat that oft-used phrase from last week, to emphasise to the world that Northern Ireland is open for business. It is fair to say that our planning system has not covered itself



in glory down through the years. I appreciate that that is probably more — Mr Agnew mentioned this — to do with its efficiency and speed. There is a lot of work to do to make our planning system much more efficient and swifter in dealing with all planning applications, but particularly those of economic consideration that have the potential to create a large number of jobs.

Although the Minister and I will disagree on some of the decisions that he has taken —

**Mr Attwood (The Minister of the Environment):** Only one.

**Mr Hamilton:** Just one? I really do not think that we have time to go into that. I do, at least, welcome the fact that, following his predecessors putting in place various mechanisms and starting to deal with article 31s in particular, the Minister has grasped the problem. I do not think that the way in which he has done it has necessarily solved the problem, because he has taken a very personal involvement in it, which does not mean that the system itself is as agile and swift as I think it should be. However, I think everybody would agree that that is where we should be going.

When we are selling Northern Ireland and saying that it is open to business, folk, including us, will talk about the people, the skills base that we have, our excellent telecommunication system, and the infrastructure that we have invested in. However, you will never hear anybody talk about the planning system in Northern Ireland. That is not one of the things that make it on to the list of positive points about Northern Ireland when we go to North America, the Far East and the Middle East to sell Northern Ireland. It should be, and I want to see it become something that we can sell to people.

These clauses and the amendments that we will debate have the potential to mean that the planning system in Northern Ireland is something that can respond, in certain circumstances, to economic considerations. For me, because it is already a material consideration, it is about highlighting and emphasising something that is already there, so that the world that is looking into Northern Ireland and perhaps wanting to invest in Northern Ireland, but has a choice of several places to invest, can see on the face of planning legislation that the Assembly and Executive mean what they say when they say that we want to promote the economy and put growing a sustainable economy as our number-one priority in Northern Ireland.

The second reason I think the clause is needed is that I am not persuaded — Mr Agnew opposed this, and you would expect him to — that in every case planners do give fair and equal consideration to the economy. The presence of economic considerations on the face of the Bill is a reminder to planners and those within the planning system that that is something that they should consider. I appreciate that others will disagree with that, but I believe that there is an urgent need for clarity in respect of economic considerations within our law.

We heard extensive evidence in Committee and had an excellent morning at the stakeholders' event in the Long Gallery. There were quite a lot of views expressed, and I will refer to some of those later. One contributor from Queen's University said that there was no proof that planning is holding back economic development in Northern Ireland. I fundamentally disagree with that. I think that there is any number of examples. I appreciate

that some of those examples may be more about a lack of speed and efficiency in the planning system, but I think that there are innumerable examples — and Members in the Chamber can point to examples in their own constituency — where the planning system has not assisted economic development but has in fact impeded it, and has cost Northern Ireland jobs at a time when Northern Ireland desperately needs jobs and when thousands of people from these shores are emigrating to everywhere and anywhere around the world to get employment. Our planning system is not working in a way that it should to ensure that those people and those communities are not ripped apart by the need for young people —

**Mr Frew:** I thank the Member for giving way. As Chairman of the Agriculture Committee, I know only too well the impasse that has been created in the rural development programme over planning and the fact that it has led to delays in spending that money that has come from Europe, which the rural community and the farming industry need so desperately. That is only one example of what the Member has said.

**Mr Hamilton:** I thank the Member.

**Mrs D Kelly:** I appreciate the Member giving way, but I think the Chair of the Agriculture and Rural Development Committee was being somewhat extravagant with some of his claims in relation to planning holding up rural development. I think that what has held up rural development is the failure and the constant changing of the criteria — I am sure the Member will acknowledge — by the Department of Agriculture and Rural Development and it perhaps giving people only three weeks' notice if they need planning applications in situ before they can apply.

**Mr Hamilton:** I think I have enough on my plate dealing with the Planning Bill without getting involved in a spat on the rural development programme, although, of course, you would expect me to agree with my colleague. I think he is right, and I have seen evidence in my constituency of planning being a factor in not getting some of that money on the ground. Although, of course, Mrs Kelly is right too in that there have been other reasons why some of that money — which, of course, is our own money coming back to us from Europe — has not been able to be invested on the ground. There is any number of reasons. I think there is more than one culprit on that one, so I accept both Members' contributions, although I give supreme weight to Mr Frew's contribution.

The question is: if economic considerations are already a factor, and what is being done here is highlighting, underscoring and underlining what is already the case, then what is there to fear from having those clauses? Other criteria, including sustainable development, are already there. There is not a separate category for them; they are alongside. In fact, economic development is the third of the three included in clause 2.

Perhaps now is an opportune time to address Mr Agnew's point about what I was reporting back earlier on behalf of the Committee. My own view as to why what he was suggesting, and his amendment — and, indeed, the Ulster Unionist Party amendment — are unnecessary is because of the view that I take, which I am sure he will absolutely disagree with, that, at the present time, the sustainable development element of it is the one that is emphasised far

too much in the planning system, and less so the economic development one. The Member is shaking his head, and I know that he will disagree with that view. There is no way that I will be able to persuade him nor he me. I think that the sustainable development aspect has been interpreted far too much towards environmental protection.

**1.00 pm**

**Mr Agnew:** Will the Member give way?

**Mr Hamilton:** I will give way in a second. I do not think that it needs to be emphasised in the same way as economic considerations.

**Mr Agnew:** I thank the Member for giving way. I am not going to try to convince him to change his analysis. I disagree with him that sustainable development has been overemphasised, but he is right to say that we will not convince each other today.

I am just seeking clarification for all those who are concerned about clause 2. Is the inclusion of promoting economic development about, in the Member's words, highlighting, underscoring and emphasising what we already do, or is it seeking to change the balance, as he seems to be suggesting with that point?

**Mr Hamilton:** I thank the Member for his contribution. If anything that I have said infers that I wish to tip the balance in the other direction, I apologise. That is not my intention, and it is not what I want to see coming from this. I will not be implementing the Bill; that is the Minister of the Environment's job, and he can speak for himself.

I will make the point clearly now that it is not about adding extra weight, supreme weight or determinative weight to economic considerations; it is to highlight, underscore and emphasise the fact that proper weight should be given to economic considerations. It is not additional or special; it is about having the correct, right and proper amount of weight that should be given — and should have been given historically — to economic considerations in the terms of the planning system.

I appreciate that that is the Member's concern and that it is shared by many others, but that is not my reading of it. That is not the intention that I have in supporting the clause, nor do I think that that is the Minister's intention in putting it forward. He can speak for himself, and an assurance from him in that regard probably carries more weight than one from me. I am glad that the Member asked the question because it allows me to state my hope for the clause.

This has not come out of the blue. For some time, there has been a clear demand and requirement for economic considerations to be considered in the proper way in the planning system. An attempt was made through Planning Policy Statement (PPS) 24 which was, ultimately, unsuccessful, and there is already a presumption in the planning system for development. Given that and the fact that previous attempts have been made unsuccessfully, I am surprised that there are some people who are surprised that this clause is in the Bill at all.

It is fair to say that there has been widespread opposition from a few quarters to these clauses. That opposition has been voluminous in its noise if not in its numbers. In closing, I want to touch on some of those.

I have heard various people opposing the Bill, and it is worth noting where that opposition is coming from. Those stakeholders who have opposed the inclusion of clauses 2 and 6, and who have persuaded some Members to put down amendments in this group that would remove key aspects of those clauses, have themselves been in the vanguard of opposing many major economic planning applications in Northern Ireland.

I have heard various reasons being put forward as to why these clauses should be opposed. At the stakeholder event that the Committee hosted in the Long Gallery, I heard one organisation say that clause 2 and, in particular, clause 6 will pit developer against developer and resident against resident. I have news for that organisation; that is what happens every day in planning in Northern Ireland. We have developer against developer and resident against resident, as well as resident against developer. That is the nature of planning; it has always been thus and will continue to be thus. It is an adversarial system. Sometimes, I wish that it were less so, but that is a fact of life. I do not think that we should be put off clause 2 or clause 6 because it will cause arguments over planning applications.

Some of the things that the Minister of the Environment has had to deal with in his term in office have been controversial and have hit the headlines, but there is nothing quite like an extension to a house for causing a bitter row between two neighbours. So, resident fighting resident and developer fighting developer is nothing new in the planning system.

**Ms Lo:** I thank the honourable Member for giving way. Does he agree that more than 6,000 people signed a petition and sent e-mails to MLAs? Surely, those people are not all from environmental organisations.

**Mr Hamilton:** I do not know. Maybe the Member has a better understanding of who is signing the petitions. If we are going to run this country on the basis of signing petitions, we are all going to put ourselves out of a job very quickly. I will not dwell on that too much, because it might be too popular a proposal.

**Mr Weir:** You could start a petition on that.

**Mr Hamilton:** Yes, there would probably be more than 6,000 signatures.

I am not going to cast any aspersions on the sincerity of the people who signed the petition. Equally, I am not going to bow to the fact that 6,000 or 60,000 people signed a petition. There was great similarity in the e-mails that I have received on the Bill; albeit, I have not received as many as Mr Agnew seems to have received. Maybe, I have been ignored.

I reject strongly Mr Agnew's summation of the debate. I agree that there is an unfortunate division when it comes to debates about the economy and the environment. I have engaged, and have tried to do so positively, with people from the environmental sector to see what could be done to change the tone of the debate, because it frustrates me that it invariably comes down to an us-and-them type of attitude. We are very used to us-and-them type debates in the Chamber, but this is a very unfortunate and unnecessary division and schism that happens in debates of this kind. People are characterised as being for the economy but against the environment or for the

environment but against the economy. Those two silos are not fair or correct.

I recall a debate I brought forward earlier this year on how we could develop our historic environment to encourage and grow the economy. So, the two are interrelated. I do not want anything coming out of this Bill, through clauses we are discussing now or later amendments, to do any violence or damage to our wonderful environment in Northern Ireland. We have something that is incredibly special and is worth protecting and looking after. As we go out to the world and sell Northern Ireland as a place that is open for business, the fact that we have such a fantastic, rich and diverse environment is something that we are selling to people.

Unfortunately, the debate has gone down very traditional lines. Some of the comments about these clauses and other amendments have been ridiculous and pathetic. I listened at the stakeholder event to representatives of one environmental organisation discuss their understanding of the effect of clauses 2 and 6. They said that those clauses would result in car parks, abattoirs and bingo halls potentially being built at the front of Stormont. My party is not that supportive of bingo halls, so I will gloss over that. Having been on a council that spent an absolute fortune to close down an abattoir, at great expense to the local ratepayer, I would not be supportive of putting an abattoir out there. On sitting days on Mondays and Tuesdays, the idea of a car park might be one that has some appeal. That sort of hyperbole does not do any justice to a sensible debate. We deserve to have a sensible and rational debate about the economy and the environment and where we stand on both of them, instead of coming out with comments like that, which are designed to scare and worry people.

I do not want to see anything coming out of this Bill or any piece of planning legislation that means that bingo halls are being built at Slieve Donard, that abattoirs are being built at Crawfordsburn Country Park or that car parks are being built in front of Carson's statue. That is just to scare people, and I will not be scared from supporting the proper weight being given to economic considerations.

I have worries and concerns about other comments that were made, not least those that were made during a Committee evidence session with representatives from the Council for Nature, Conservation and the Countryside, the role of which is to advise the Minister in his work. The representatives were pressed by Mr Elliott on whether there was a conflict between sustainable development and economic development in the Bill.

The response from people who advise our Minister on these and other issues worried me deeply. They said:

*"The risk of conflict is considerable. Sustainable development encompasses a lot more than just economic development and is based on the concept that we will not damage the prospects of future generations by what we do today. Economic development, I am afraid, does not have any of those considerations."*

This further comment was a wee bit more bombastic:

*"Economic development is selling the golden eggs for a while and then deciding that you want to kill the goose as well."*

We all want economic development in Northern Ireland. We desperately need economic development to rebalance and rebuild our economy. Those sorts of comments from people who advise our Minister of the Environment are not at all helpful, useful or constructive. I am happy to share the comments with the Minister, and I ask that he takes a look at them and addresses that issue. It is not a helpful contribution to the debate to say that everybody involved in economic development has no consideration for future generations or for the environment in which we live and is out only for a fast buck. I do not think that those comments are at all helpful.

I will sum up, and Members will be glad to hear that I am summing up. Clauses 2 and 6, which have been the focus of much controversy, are not the big bad monsters that some people fear they are. I hope that some of what I have said has helped to alleviate some of those fears, although I doubt it. I hope that what the Minister says will do an even better job alleviating fears. It is about giving proper weight — not additional, extra, special or determinative weight — to economic considerations at a time when we need to consider the economy in everything that we do. I support the inclusion of clauses 2 and 6 and oppose Mr Agnew's amendments, as well as those of the Alliance Party and, indeed, the Ulster Unionist Party.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom cúpla focal a rá. I would like to say a few words at this stage of the Bill. I will concentrate mostly on clauses 2 and 6, because those are the clauses that most of the debate will be about. I have heard people say that we did not properly consult on this and that and that amendments have been tabled on the Floor of the House and all that. I am speaking on a group of amendments as it is my turn in the sequence, but I will not have a chance to hear some of the amendments being proposed by Members. So, I am actually responding before I hear the debate and the arguments that will be put forward. That is no different to what people are saying to us about amendments coming to the Floor of the House and about a lack of proper consultation. I will be responding to the group of amendments that sits in front of me.

Before I start, I want some clarification from the Minister about some of the amendments relating to environmental protection. Is that not already covered in EU law and other policies that we have here? Is there a need to include it in this process if it is already there? I would like clarification on the environmental provisions that are being suggested.

I want to concentrate mostly on clauses 2 and 6. People believe that economic considerations will overtake all other elements and criteria in the assessment of an application. I do not believe that that is the way of it. We cannot sit in here arguing for the creation of jobs and the need to grow the economy while having a planning system that may not facilitate that. I will go on record and say, to be fair to the Minister, that there have been changes over the past number of months in what he has brought forward and tried to do. It is good experience for anyone who has been a councillor to get to see exactly what planning is all about. In all the applications that I have challenged on behalf of constituents, no matter whether they are small-scale or large-scale, I have honestly never seen a decision swayed by economic weight or considerations. I certainly would not support something that will destroy the open countryside.

**1.15 pm**

I will comment on some of the amendments. Mr Agnew's amendment No 3 talks about "promoting environmental protection". We had a good debate on that at Committee Stage, and people had a good opportunity to participate. I genuinely think that the policies that we have at present facilitate the protection of the environment. The legislation does not pave the way for the introduction of fracking. Other Members are entitled to their view on that.

Under clause 6, it is up to developers to prove the advantages and disadvantages of their application. I hope that, when they make their arguments, Members answer a question that I have asked of everybody. I have asked people to give examples of where economic considerations have given a greater weight to the approving of an application. Some Members see the two clauses as impacting on and destroying the whole of the North. The intervention from the Chair of the Committee for Agriculture and Rural Development was interesting. I have seen examples of applications that are waiting for funding and support — Dolores Kelly made an intervention about the process — and it was the planning process that caused the problem. We need to get all this right and address some of the concerns. Maybe the Minister will touch on the new planning policy statement that he proposes. There has been consultation on that, and there will be another opportunity for consultation. It will bring in a single policy, and it is a good opportunity.

There are some fears about the economic argument. Local authorities will now go through a process involving area plans, designations and zoning land. There will be an opportunity for people to do that. As it sits at the minute, some of the draft area plans are not fit for purpose. At present, applications are geared towards industrial development sites, but you still cannot have a recycling centre beside a food hall. In some cases, that has happened. We need to look at that.

Members still have to speak about their amendments, and I want to hear more from those who tabled them. However, I am mindful of the fact that we went through a good process in Committee. As the Deputy Chair outlined, we were against some of the amendments that have been proposed. Those amendments have come to the House, and people are entitled to table them. I will listen to Members speak to the amendments before I make a judgement, but I want to pick up on one or two. My first point concerns the three-year review. Two Members have put down an amendment about "protecting the environment". It is in the names of Mr Elliott and Mr Swann. Mr Elliott came up with a good idea on that. I thought it was a fairly reasonable amendment for the Minister to adopt for a three-year review of how the economics will be rolled out. I support that amendment. On the one hand, he is saying that it was his suggestion, but, on the other hand, he is talking about protecting the environment. That is counterproductive. Is he saying that, on the one hand, he supports the economic aspect and we will have a review and, if it is doing too much damage, that is grand; or, on the other hand, is he asking for further protection for the environment? That is the way that it reads to me. Maybe the Member will clarify that in his contribution.

Mr Agnew's opposes clause 6. Clause 6 was supported by the Committee, and I am of the view to support that. However, I am also of the view that we maybe need to look

at putting in different measures. Maybe the Minister will talk about how he will qualify the economic advantages and disadvantages of a planning application. Maybe he will clarify his views on that.

I move to some of the fears of people who oppose the Bill. I think that I received 600 e-mails over the weekend on this, and there are genuine concerns from people. They sent me views on clauses 2 and 6 and others but did not make any suggestions on how we could enhance the Bill with some of those protections and assessments. Maybe, at a further stage, we could have a look at that. With that in my mind, I bring my remarks to a close. I look forward to the debate on some of the other amendments.

**Mrs D Kelly:** I welcome the opportunity to make a contribution to the debate. The Bill is, of course, designed to improve the planning system for everyone in the North of Ireland, not just those with a special interest in the economy nor indeed those with a special interest in the environment. I found it interesting that, thus far, some of the other clauses to improve the planning system have not been touched on.

If I may, I will widen the debate. I endorse the comments of the Deputy Chair, speaking on behalf of the Committee. As a member of the Committee, I expressed concerns about clauses 2 and 6 and asked for particular legal advice to be given to the Committee. I was satisfied with that advice, and I believe that it allayed any concerns that I or my party might have had.

Clauses 7 and 8 are on the powers to decline subsequent or overlapping applications. These would be welcome to many individuals in the community who see vexatious use of the application system by some businesses that have not applied for planning approval at the start of their business and, when that comes to the attention of planning and enforcement teams, vexatiously resubmit applications to delay the enforcement of the action taken by them or, indeed, the courts. Certainly in my constituency, those clauses will be most welcome.

I also note amendment No 13, tabled by Anna Lo. It is on a shared future, and the SDLP is keen to hear more about how that will be worked out in practice.

I listened carefully to the two previous contributors, Mr Hamilton and Mr Boylan, on their support for clauses 2 and 6. They talked about Northern Ireland being open for business. However, it is a sad reality that there are many brownfield sites in existing development zones. There are numerous empty commercial and industrial premises and empty shops in town centres. Given those empty premises, it is questionable whether planning is the sole driver of economic development.

Events over the weekend and those of recent months relating to the flag protests did not do the Northern Ireland economy any favours. This is about resolving some of the reconciliation and shared future disagreements between our two main communities. I know that OFMDFM hopes to put together a working group later in the year. Those issues have as much to do with Northern Ireland being open for business as any planning legislation.

I ask that people consider this: if clauses 2 and 6 are not intended to give any added significance to the economy over sustainable development or well-being, the only

rationale that I can think of for their insertion is a PR exercise. That how I see it.

Mr Boylan also talked about the environment. He is right to say that the environment is already substantially protected through the wild birds directive, areas of special scientific interest and areas of outstanding natural beauty. Wetlands areas and world heritage sites are also protected, and there is the habitats directive. We already have a substantial amount of legislation that has a basis in EU, national or local law. I do not think that we have to support any further amendments in relation to the environment.

I refute, of course, Mr Boylan's attempts to support his Minister in relation to the expenditure on the rural development programme. Some of it had been held up by planning — I fully accept that — but Mr Attwood's predecessor, Mr Poots, introduced a streamlining process for planning applications where there was significant economic consideration or a grant application. As I understand it, the Department of Agriculture and Rural Development and the Department of the Environment worked well together in adopting a sensible approach to such applications. However, I know that the rural development programme changed its criteria substantially during the course —

**Mr Speaker:** Order. Let us not get into a debate on the rural development programme. Let us deal with the Planning Bill before the House.

**Mrs D Kelly:** Thank you, Mr Speaker. You will appreciate that the two matters were linked by an earlier contributor, so I had to set the record straight.

I have made a number of points on the first group of amendments that, I hope, suggest to the House that there are amendments that we cannot accept at this stage. We are reasonably content that clauses 2 and 6 do not do harm to the environment or sustainable development.

**Mr Elliott:** I welcome and support the overall principles of the Planning Bill. Many in our society — developers, objectors and, indeed, the Planning Service itself — want to see a speedier planning process. At times, it has been very frustrating for all involved. The principle of the Bill is very welcome, in that it aims to improve that.

We in the Ulster Unionist Party have no difficulty in principle with the parts of clauses 2 and 6 that relate to economic development. We have made that clear at all stages. We believe that they are reasonable and acceptable. We were told by the Minister, departmental officials and other MLAs that those clauses would not give additional or overbearing weight to matters of economic development, over and beyond other aspects. Therefore, I do not see how our amendment to put in "protecting the environment" could have any overbearing weight either. We are trying to put it on a par and include a level of equality and, I suppose, simplification in the process. They are quite simple amendments, and I feel that they could gain widespread support not only from Members but from the wider public and community.

### 1.30 pm

We hope that, by and large, people will want to see the environment protected in a practical and sustainable way, at the same time as ensuring that the promotion of the economy in Northern Ireland is to the forefront. So, we do not see any difficulty with the two aspects sitting side by side.

I know that there is a slight debate over the wording of Mr Agnew's amendment. His is "promoting environmental protection" and ours is just "protecting the environment". We feel that ours is simpler and much more straightforward. I dare say that Mr Agnew will disagree and say that he is trying to keep the promoting aspect on a similar basis to what it says in the other parts of the clause. I accept that, but I feel that ours is more straightforward.

Amendment No 5 is about the definition of sustainable development and has been tabled by the Alliance Party. I feel that there have been a number of attempts to define sustainable development. I do not see a general agreement around that definition. I would like to have a further debate on that. I do not see us being able to support the amendment at this stage, simply because there has not been enough discussion around it. I would like to hear from the Minister about whether there have been any further attempts to get a clearer and more definitive definition of sustainable development.

Mr Boylan referred to me on the issue of amendments being tabled by the Minister about having a review and a mechanism for reporting back to the Assembly on clauses 2 and 6. That is something that I proposed in Committee. It is very welcome, and I am pleased that the Minister and the Department agreed to take that issue on through an amendment. I fully support that, but I do not see what Mr Boylan's issue was with me tabling amendments that included protecting the environment. You can actually review that, because it would be part of clauses 2 and 6. So, you would be reviewing that in the three years as well. I do not see what the problem with that aspect was. Again, I am at a loss about exactly where Mr Boylan was coming from on that aspect.

The review and reporting mechanism will be a very valuable tool in the Bill, particularly regarding these clauses. I hope that that system allows people to feed into it and allows developers, Assembly Members, any elected representative and, indeed, the wider public to explain exactly how they feel that the two clauses are progressing. I know that there has been an indication that a lot of damage could be done in three years, but I think that, by and large, particularly if our amendments are accepted, given that they allow for protecting the environment, the damage, if there is any at all, would be limited. Again, that reporting mechanism will be helpful to the overall process.

I look forward to the House supporting the Ulster Unionist Party amendments. We will be happy to support the Minister's amendments. I have concerns around the definition of sustainable development, but that is an aspect that can be worked on further and can come back for discussion later.

**Ms Lo:** I would have liked to say that I welcome the opportunity to speak on the Bill as the Alliance Member for South Belfast. However, in light of some of the amendments tabled at the last minute, I speak with a heavy heart. As I have stated previously, I do not think that the Minister should have moved the Consideration Stage today. That would have allowed everyone the opportunity to assess the amendments cooked up by Sinn Féin and the DUP working closely together behind closed doors.

**Lord Morrow:** I thank the Member for giving way. Now that she is in the early stages of her speech, maybe she will explain to the House why she decided to abdicate her

responsibilities as Chair of the Committee, something that she is exceptionally well paid for. Today, she refuses to do her duty as Chair, which has been transferred to the Deputy Chair. It would be understandable if the Member were not here today, but she is here in full flight. Maybe she would like to take a few minutes to explain to the House why she has abdicated her responsibilities.

**Ms Lo:** I welcome the Member's intervention. I had thorough discussions with Paul Gill, who acted as the Committee Clerk and worked with us on the Planning Bill. I wanted the Deputy Chair to speak on this because it seems that there is a conflict of interest. I strongly objected to clauses 2 and 6, and I made it clear during Committee Stage that I would not support them. Therefore, for me to say that the Committee supported it while I wanted to say, "But I did not" would have clouded the issue. For clarity, we thought that it would be better for Mr Hamilton to make the speech on behalf of the Committee.

**Mr Agnew:** I thank the Member for giving way. There is precedence for this. For example, I sit on the Standards and Privileges Committee. When it was recommending sanctions against Mr Wells for what was deemed by the Committee to be a breach of the code of conduct, the Chair, Alastair Ross, chose, with the Committee's agreement, not to present the Committee's report because he had a conflict of interest, as he did not support the Committee's recommendation. That is quite common practice where there is a conflict of interest — *[Interruption.]*

**Mr Speaker:** Order. I ask Members to return to the Planning Bill. Let us not get into the business of Committees, which is really no business of the House. Let us move back to the Planning Bill.

**Ms Lo:** Thank you, Mr Speaker. I hope that that clarifies the position.

The Alliance Party is fully supportive of the original intentions of the Bill. There is no argument from this corner of the House that our planning system in Northern Ireland could not or should not be modernised and strengthened to provide much faster decisions on applications. We did not, however, support some of the measures in the Bill, as we believe that they are counterproductive to those aims.

With regard to amendment Nos 2, 9 and 15, I ask the House to remember draft PPS 24, which was brought forward twice by Environment Ministers and overwhelmingly rejected by public opinion. In fact, 75% of respondents strongly opposed the draft policy. Clause 2, as it currently stands, is an attempt to bring it through once again, this time through the back door without full public consultation. That is not just my opinion. A brief overview of the consultation undertaken by the Committee showed just how widely rejected clause 2 was by the environment sector. The Committee received 112 submissions to its consultation, and, of those, eight were in favour of clause 2 as it is written, and the vast majority — 80 submissions — were not in favour of the clause or felt that it required more clarity on the definitions.

In fact, in its submission to the Committee, Friends of the Earth deemed the Planning Bill to be worse than PPS 24. PPS 24 related to major applications, but these clauses will apply to all clauses.

Alongside Friends of the Earth, many of those who are not in favour of clause 2, as it stands, are experts in the fields of planning and environmental protection. I ask the House this: what is the point of consulting people on the ground if we do not listen and take account of what they have to say and of the advice that they offer us? The opposition against this clause and clause 6 is not restricted to experts and the sector alone. We need only look at the hugely successful "Amend the Bill" campaign to see the strength of feeling among the public. At the last count, over 6,000 letters of support were sent, and over 100 were sent to my office alone.

Bringing greater definition and tightening to the clause is what the Alliance Party has sought to do with the amendments in my name. Removing the mention of economic considerations and defining sustainable development, using the definition from PPS 1, clearly shows that economic considerations are one of the three key pillars of sustainable development. Those are social development; environmental considerations; and economic development. I can see no reason, need or merit to give extra mention and weight to economic development as it is already considered as part of sustainable development. In fact, in September 2011, when the Minister was rejecting draft PPS 24, he said that:

*"economic considerations are already a factor in planning decisions and are already dealt with in a balanced way alongside other material considerations, including social and environmental factors."*

I would like to know what or who has changed the Minister's mind and why he now feels that economic considerations should be put on a statutory footing, not just in a planning policy statement. I am asking the Assembly to remove economic considerations from the clause not because I or my party believe that they are not important, but because they are already considered, as I have explained, as part of sustainable development, and, therefore, should not be given extra weight over social and environmental elements, both of which are included in the definition of sustainable development.

I, along with many respondents to the Committee, believe that the additional mention of economic considerations may be counterproductive for a number of reasons. First, if economic considerations are allowed to trump other considerations, it could lead to a proliferation of speculative planning applications. That will do nothing to speed up our planning system, which is already under considerable stress.

Secondly, when introducing the notion of economic development, the Bill does so with ambiguity. It does not define economic development, possibly because there is no universally accepted definition of economic development. Economic development is not as simple as promoting growth through job creation. It requires a long-term perspective. For planners to be able to make decisions on the clause, extensive guidance will be necessary. That guidance will not be immediately available upon the enacting of the clause on Royal Assent if other amendments are successful, but I will come on to that later. Planners are trained to deal with issues relating to the use and development of land, but it should not be their role to promote economic development. It may also prove necessary for the Planning Service to hire economists,

which is, I am sure, not within its current budget at this time of reduced public spending.

#### 1.45 pm

Thirdly, economic considerations that go beyond land use, such as job creation or economic growth claimed by the developer, cannot be adequately monitored or enforced after the granting of planning permission. You cannot go after them after you have granted planning permission.

I believe that the inclusion of economic development in this clause places the economy in competition against the environment. Both must be — and, indeed, are — integrated. You cannot consider one without the other. As the Northern Ireland Environment Link states:

*“the environment is the envelope in which the economy must exist”.*

I urge the House to support my amendments. They bring clarity to the clause and define sustainable development, thereby proving that we do not need mention of economic development, as it is already a clear part of that.

I believe that the amendments in the names of Mr Agnew and Mr Elliott also have merit. We have listened to the debate thus far and will continue to do so in reference to those amendments — I am not precious about my own amendments.

I will now speak on the amendments relating to shared use. Aside from its attempts to prioritise economic development, the Bill offers us the opportunity to think about how we design the space in which we live, work and socialise. Through the Bill, we in the Assembly can prove our commitment to create shared public spaces for everyone by placing the need to consider the shared use of the public realm on a statutory footing in planning decisions.

We heard grand talk from the Office of the First Minister and deputy First Minister (OFMDFM) in recent weeks after the launch of the strategy Together: Building a United Community. Here is the chance for them to show us through action that they are truly committed to building a united community by making the consideration of shared use of buildings a statutory obligation. Those amendments would ensure departmental focus on actions that would promote good relations and help to ensure that the rhetoric and vision of cohesion and sharing, about which we have heard for so long, become a reality. It is important to note that shared space does not mean neutral space. It is not the aim of the amendments or the Alliance Party to create sanitised territory. I believe that there can be a vibrant place for all ideas and identities where people can come together.

Research of the omnibus survey that was carried out as part of the public consultation on cohesion, sharing and integration highlighted a high degree of support — 91% — for the provision and expansion of safe and shared space. In the 2010 Life and Time survey, 82% showed a clear preference for living in mixed areas, and 87% of respondents believed that better relations will come about through more mixing. I agree with those 87% that this is not a matter over which we can afford to be complacent. I urge the House to give statutory weighting to the consideration of sharing in planning decisions by supporting amendment Nos 6, 13 and 19.

I considered tabling amendments on social well-being that were similar to amendment Nos 8 and 14. Well-being, in and of itself, is a broad concept, taking in many factors. The inclusion of the word “social” before “well-being” may well be beneficial in focusing the minds of planners when making decisions on applications to consider the impact on mental health, and other similar factors. The Alliance Party will be supporting those amendments.

I will now speak to our amendment on world heritage sites. We are truly lucky in Northern Ireland to have a UNESCO world heritage site. Many other countries would love to have that. World heritage sites are recognised as the most special places on earth. They are chosen because they possess outstanding characteristics that make them valuable to all the people of the world, regardless of where they are located. I believe therefore that it is our duty as legislators to do all that we can in our power to protect our world heritage site. It is my opinion that we have not done that so far.

The proposal for a massive golf course development in Runkerry, right on the periphery of the Giant’s Causeway, was approved without proper consultation with UNESCO. Indeed, in February, when I was visiting the Giant’s Causeway, UNESCO recommended:

*“The State Party is advised to strengthen the position and recognition of World Heritage sites in national law, including in all regions of the State, so that developments that create negative impacts on Outstanding Universal Value are not permitted.”*

It makes sense that prestigious world heritage sites should be protected through a country’s planning system. Therefore, the responsibility lies with us to legislate for the care of the site. As Members will be aware, there is not protection in law for world heritage sites in Northern Ireland. I do not believe that that is an acceptable state of affairs, and the amendment seeks to put that right. By putting in place legal protection for our world heritage site and any potential future sites, we are sending a strong message to the world about the importance of our heritage and the value that we place on it. Mr Speaker, let me be clear: it is my opinion, and that of the National Trust, that should the amendment not pass, and we do not protect our world heritage site in legislation, we will not get another one and may well lose the one that we have.

All Members would do well to bear in mind the economic gain —

**Mr Attwood:** Will the Member give way?

**Ms Lo:** Yes.

**Mr Attwood:** I choose not to ask Members to give way, but given the claim that has just been made, and the scale and severity of that claim, Mr Speaker, in which the Member said that should the amendment that she is proposing not be passed, we would not get any further designations of world heritage status and the current designation of the causeway would be at risk, I have intervened. Will she put into the Library, any correspondence or documentation that she or any third-party organisation has got that confirms and justifies that sort of remark?

**Ms Lo:** I welcome the Minister’s intervention. That is a view that was given to us this morning by the National Trust. I believe that there was a conference last week. I

will seek further clarification from the National Trust, and I will certainly speak to the Minister on the issue, perhaps tomorrow. However, that was certainly the view that was given to me this morning. I agree with the Minister that it sounds very severe. It is something to which we need to give very careful consideration.

All Members would do well to bear in mind the economic gain — I am sorry for repeating that — that we get from having a world-renowned brand such as a world heritage site in Northern Ireland. Let us be under no illusion: world-heritage-site status has been revoked before and it will happen again. When it happened in Dresden, it was termed “an embarrassment”. If it happens here, it will be nothing short of humiliation. We have been well warned. We should absolutely heed those warnings.

Although it is easy to draw the inference that the amendment is solely about the Giant's Causeway, that is not the case. The amendment does not relate to individual development proposals, but, instead, is intended to show that we take our international obligations and reputation seriously. Indeed, we aspire for other special places in Northern Ireland, such as the historic walls of Derry, to, one day, be recognised around the globe as world heritage sites. I know that I caused a bit of controversy when I compared Derry's walls to the Great Wall of China, but, having visited both sites, I was really very genuine in doing so. As I said, if we would like other places, such as the walls of Derry and the beautiful Marble Arch Caves, to be considered, we need to establish protection for them in law.

Let me assure the House that protecting world heritage sites in law is not about constraining economic development. Instead, it ensures that the outstanding universal values — those characteristics that make a site so special — are maintained. In fact, world heritage sites bring significant investment and draw tourists from all over the world. Since the opening of the new Giant's Causeway visitor centre this time last year, Northern Ireland Tourist Board figures show that there have been visitors from 160 different countries. I urge the House to support amendment No 27.

I will now speak on the intention of Steven Agnew, my party colleagues and I to oppose the question that clause 6 stands part of the Bill. Many stakeholders' submissions stated that clause 6 is worse than clause 2 and that, if enacted, it could render the planning system unworkable.

The fundamental principle of planning is the consideration of the use and development of land, which has been well established in case law over the past 40 years. Clause 6 now tells planners that they have to weigh economic advantages and disadvantages when they determine planning applications, which may, consequently, cause a great deal of uncertainty and delay through legal challenges. That could slow down the planning system, which is totally counterproductive to the aim of planning reform to speed up planning applications and decisions.

There are always two sides to a coin. When planners have to take into consideration the advantages and disadvantages of granting an application, that could be open to exploitation by applicants and objectors. It will also lead to more bureaucracy or costs for applicants and objectors in having to furnish convincing economic elements into their arguments. Will that provide a level

playing field for the small community against a large developer who can afford to employ an economist to lay out their case?

Again, as I said earlier, there is no legal mechanism for planners to monitor or enforce claimed benefits following the granting of planning permission as such issues cannot be secured through planning conditions. As developers know that they cannot be held to account on their claims, is there not a danger that they may inflate the economic-development contributions on their applications? If this fails, we will support Mr Elliott's amendment. Perhaps I should not have said that. Obviously, I urge Members to support our call for clause 6 not to stand part of the Bill.

## 2.00 pm

I turn to the amendments on commencement. I have to say that I am deeply disappointed that members of the Environment Committee requested that the Department bring forward an amendment to make clauses 2 and 6 operational upon Royal Assent, possibly in December this year, rather than by a commencement order when the Department is ready for them. It is totally disgraceful that, at Committee Stage, MLAs not only ignored the views of 88% of respondents to our consultation who said that the clauses should be amended or dropped, but actually pushed for them to be accelerated into action as soon as humanly possible.

Time and again during our stakeholder event, departmental officials assured Committee members and concerned individuals that clauses 2 and 6 would be clarified and guided by the new single strategic planning policy statement so that economic development would be interpreted as having the same bearing as the other two objectives of social development and environmental protection. They categorically stated that a draft SSPPS would receive a full public consultation, and that only when the finalised SSPPS was in place would those two clauses take effect through a commencement order.

If this amendment is agreed today, it will create a vacuum because, when determining planning applications, planners will have to rely on current planning policies without the revised and updated guidance on the definitions and boundaries of the two new clauses on the promotion of economic development and the assessment of economic advantages and disadvantages. That really is putting the cart before the horse.

Why is there such a hurry to speed up the function of promoting economic development at the risk of planners not being properly guided and trained to work within the new legal provisions? Northern Ireland has the highest planning approval rate in the UK. In the last quarter, 99.5% of planning applications in Fermanagh were approved. You can say, therefore —

**Mr Elliott:** Will the Member give way?

**Ms Lo:** Yes.

**Mr Elliott:** Does the Member accept that, although a high volume of applications were approved, a number were actually withdrawn before a decision was made, which escalated the approval rate?

**Ms Lo:** I understand that but, if you look at the figures, you see that only 0.5% were rejected.



**Mr Weir:** I thank the Member for giving way. I echo the point made by Mr Elliott. As somebody who serves on a local council and receives an amended planning schedule each month, I know that, if a planning application is clearly heading towards a rejection, the applicant will quite often withdraw the application before it gets to the stage of a final determination, because that gives them other opportunities. On that basis, although I do not doubt the accuracy of the figures that have been given to the Member, they can be entirely misleading and give the wrong impression.

**Ms Lo:** I think that Members would agree that, certainly, planning approval speed has improved. The Minister mentioned that yesterday morning on television. Therefore, we cannot really say that planning is currently creating barriers for economic growth. As Dolores said, planning is not the only reason for the downturn in economic growth.

I oppose the Minister's amendment, but support Mr McCallister's, which will hopefully give the Department more time to produce the necessary guidance for planners.

**Mr Anderson:** As a recently appointed member of the Environment Committee, I welcome the opportunity to take part in the debate and to make a few comments on the amendments in group 1. It has been an interesting debate so far. Listening to some of the points raised has been a steep learning curve, in the sense that some of the issues coming forward are not my thinking or how I would see it.

The amendments in group 1 are proposed mainly to clauses 2 and 6. Like many Members, I am sure, I have received numerous correspondence from people who have environmental issues in relation to those clauses. While understanding some of the reasoning that those people might have, and recognising the need to protect the environment, I believe that there has to be a sensible and balanced approach as we move forward. I have been completely convinced in my short time that clauses 2 and 6 as drafted allow for that balance and are in the best interests of all concerned. My party supported the Bill at Second Reading and Committee Stage. I support clauses 2 and 6 and do not see any need for most of the amendments in group 1.

I believe that the amendments go a long way towards stifling economic growth, at a time when we must grasp every opportunity to recover from the prolonged economic downturn. My colleague the Deputy Chair has already stated the economic impact that planning can and does have on job promotion. Therefore, it is vital that economic factors are given the importance that they deserve when planning decisions are made. We cannot allow our hands to be tied behind our backs in this matter. Every effort must be made to promote economic growth, and the planning process is crucial to that promotion.

As an elected representative for council and at Assembly level, I, like others who have two jobs in the political sphere —

**Lord Morrow:** One non-paid.

**Mr Anderson:** As my colleague says, one non-paid.

We are very well aware of the importance of the planning process for many of our constituents and the impacts that it has on aspects of life. We could stand here all day and recount many, many incidents where the planning process has had a great effect on constituents. I know that many people have been frustrated with the planning process

for too long. When people speak about the red tape and bureaucracy in our system, they will often cite the planning process as the top example, where delay seems to follow delay. Anything that helps to speed up this often lengthy and cumbersome system should be widely welcomed by everyone. It will be welcomed across the community, not least by the hard-pressed business sector.

I picked up on something Ms Lo said. She stated that the amendments in some way are not designed to stifle economic development. However, I question her reasoning. The more I look at the need to help the economy to move forward and the planning issues, the more I question some of the amendments and the reasoning behind them. It is clear to me that clauses 2 and 6 —

**Ms Lo:** I thank the Member for giving way. What we are saying is that economic development is not unimportant; it is very important. No one would dispute that, particularly now, when we are seeing so many young people unemployed, and we have a brain drain and all the rest. We are saying that, by saying "sustainable development", that already includes economic development, so you do not need to say it again. You add weight to it by saying it a second time.

**Mr Anderson:** That is the Member's view; it certainly is not the view of me or my party. I think we have to get economic development on some sort of a level playing field here, and we do not believe that that is happening at the moment. That is not to say that other issues are not important, but it is one's interpretation. I believe that clauses 2 and 6 help to level that out.

It is clear that clauses 2 and 6 are designed to help the planning process in a way that is equally favourable to those projects in economic development that are designed to develop our economy. The planning process, as it currently operates, can delay a perfectly good business project, not just for months but, in some cases, as I have seen for myself, for years. What sort of message does that send to potential local investors and inward investors from abroad? It is absolutely essential that we do not get so hung up with environmental concerns that we cannot see the wood for the trees. I am very disappointed when I look at the amendments in group 1. With a few exceptions, they will have the opposite impact to what we need. They will weaken the Bill and further frustrate economic growth.

The economy is at the heart of the Programme for Government and has been since May 2007. The proposed amendments to clauses 2 and 6 run contrary to that. If they are passed, they will send out the wrong signals and frustrate the chances of economic growth. As I have said before, I fully understand the need to protect the environment, and I accept that it is a difficult balancing act at times, but the Bill, as drafted, allows for that balance to be taken into account. It will give equal weight to planning applications that will stimulate and grow the economy. Surely we need to do everything in our power to speed up such planning applications? We all know of good local business incentives that have been killed off by the planning process. These vary from small, local initiatives to much bigger, international companies. We can argue about the threat to our environment from some of these applications, but too often we see good, sound business planning applications turned down on what seem to be very weak grounds. The chances to create jobs and to boost the local economy are therefore lost

and jobs go elsewhere. Such planning decisions have a knock-on effect for other potential investors, who are then discouraged from putting in their own applications, and so more potential jobs are lost.

I also note that some members of the Environment Committee, including the Chair, have indicated their intention to oppose clause 6 in its entirety. That is to be regretted.

It is imperative that we do all we can to promote and not stifle economic growth. I support clauses 2 and 6 and oppose the amendments proposed by the Alliance Party, the Ulster Unionist Party and Mr Agnew.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I am not an expert in planning policy, planning permission or any of that kind of stuff, but if you saw me on the site of a proposed development, you might think otherwise, like most other elected representatives.

I rise following my party colleague Cathal Boylan to articulate our view on this proposal and on the proposed amendments. Personally, I am a concerned citizen who is worried about the impact that liberalising planning laws in favour of developers at the potential expense of the environment, built heritage, the natural environment and public health would have. Therefore, I support the amendments to clause 2 tabled by Mr Agnew, which include a reference to social well-being and promoting environmental protection. I am glad that these amendments have been tabled, and that the strong lobby calling for protection of world heritage sites, for greater promotion of environmental protection and the inclusion of the promotion of social well-being is being heard.

I would like to know how sustainable development is assessed. We have seen one attempt by the Alliance Party to define "sustainable development". I do not think that that will receive consensus here today. I think that the consensus is that it is best to leave that to the Department and the planners to determine. Thankfully, this has been a fairly rational debate. We may see a debate later that centres around whether powers are being taken away from the Department of the Environment. I do not think that anybody is too keen at this stage to take away the Department's role in defining "sustainable development".

## 2.15 pm

The amendments to clauses 2 and 6, which we support, are sensible. They ensure that the required balance between environmental protection and economic development is struck. I am happy to support them. On that note, I commend all the citizens who have energised themselves and let their voices be heard. To date, over 6,700 messages seeking these amendments to be made have been sent. I am happy to support them and to let those people know that their views have been heard.

It does not matter to me what form of communication people use to correspond with their elected representatives, whether it is a hard copy of a petition, an online copy of a petition or somebody simply copying and pasting an e-mail to articulate their views. Whether they drafted the thing themselves is irrelevant. If it is their view, it has a right to be heard. That is a very important point. We, as a democracy, need to remember that there are members of our community out there who have a

particular interest in this area, and they should not simply be dismissed out of hand.

There are widely held, very genuine and well-founded fears in our community that enacting clauses 2 and 6 without the amendments would provide too much emphasis on any potential economic benefits, regardless of how unfounded those often ludicrous claims of economic development are.

One of the biggest fears from the outworkings of the proposed Bill is to provide greater rights to developers at the expense of the environment. It will be no surprise to anybody in the House that I am particularly concerned about the issue of fracking. There are widely held concerns out there. They may not have come to the fore about the development of nuclear power plants or the hotly contested overhead North/South interconnector, which is currently trying to get its way back into the planning system.

The amendment contains the proposal to weigh up economic and environmental advantage and disadvantage. Are we to expect the developer to commission that piece of work? Will we see an organisation such as Tamboran, which proposes to carry out hydraulic fracturing in half of Fermanagh, pay a consultancy firm to carry out that work? How can we be sure that that work will be a fair assessment and that it will not be weighted too heavily on the economic benefits side and talk down any potential environmental negative points? That is something that we often see with environmental impact assessments —

**Mrs D Kelly:** Will the Member give way?

**Mr Flanagan:** I will in a second.

That is often something that we see from environmental impact assessments that are carried out by consultants. We all know that paper does not refuse ink, and we all know that whoever pays the piper calls the tune.

I am happy to give way.

**Mrs D Kelly:** I thank the Member for giving way. I want some clarification. Is the Member telling us that he, if not his party, will vote for the amendments in group 1? How does his argument sit with the OFMDFM amendment in group 2?

**Mr Flanagan:** I thank the Member for her intervention. I would not like to be ruled out of order by starting a debate on group 2. I have articulated that we are going to support some of the amendments in group 1. We will support Mr Agnew's amendments on clause 2, the UUP amendments on clause 6 and some of the Alliance amendments, particularly the ones on world heritage sites and greater sharing. I will come back to that in a minute. That is actually the next part of my speech, Dolores, so thanks for bringing me to that.

Amendment No 7 proposes a review that will be carried out in three years. That review will be welcome. I am happy to support it, but I am hopeful that it will be more than just a fig leaf to those who have concerns about the Bill. I have been as clear as one can be when talking about a political opponent that, in my view, the Minister is doing a good job. I fully support a number of decisions that he has taken. There are, obviously, some decisions that many people oppose, but I can think of a number of examples of very good decisions from the Minister. He is to be commended for that. It is funny, because one of the reasons that we

are often given for why clauses 2 and 6 are needed is that they will speed up planning policy. However, the people who usually say that come from across the Benches and from the party that held the Environment portfolio during the entire previous mandate when most of these decisions remained unmade.

Although I am not personalising the issue, going back to the Minister, one of the first things that he did when he came into office was to carry out a review of PPS 21 and how it was being implemented. That was very welcome. However, that was two years ago, and that review has yet to be published.

Regardless of what his party does with its Minister, an election is scheduled for just under three years' time, so the Minister may not be in office then. Will the Minister give an assurance that the review of the Planning Bill, if enacted, will have some strength? We have been told that the review of PPS 21, which is hopefully near completion, will not make any changes to that policy. All that it will do is look at how it is being implemented. As citizens, rather than legislators, are we expected to take some solace from the fact that a review of the Planning Bill will commence within three years? If the Bill is enacted, will the team carrying out that review have the power to make changes or, at the very least, outline truthfully the impact that this change in policy will have had? Is it the case that the review will be completed and published within three years, or will it just commence within three years?

What will happen if it transpires that, by the time the review commences or concludes, some disastrous decisions are made on the basis that the so-called economic benefits have been given preference over the negative environmental damage that has been caused? What will happen if, in three years' time, we are faced with a situation whereby fracking is taking place across Fermanagh, or even in Belfast city centre, as the Department of Enterprise, Trade and Investment (DETI) has now proposed, or a nuclear power station has been constructed across Belfast lough from Titanic Belfast, and every town and village in the North contains a waste incinerator of some sort? Will those developments be closed down, will efforts be made to repair the environmental damage or will we simply be told that it is too late, that it has already happened and that we can make changes in the future? Will new legislation have to be drafted to further change this Bill if it is enacted? That would, of course, be subject to a political veto from some in the House.

I want to give the public an assurance. The Bill, if amended properly, would not provide greater facilitation for things such as fracking. Fracking will not have a positive economic benefit on our community or our society. If the Bill is amended properly, fracking will be looked at in the round, including its economic disadvantages and its impact on the environment.

I agree with some consideration's being given to the potential economic benefits of proposed developments. However, that has to be balanced with social well-being and promoting environmental protection and sustainable development. As MLAs, many of us will have served as councillors, and as councillors and MLAs, all of us will have seen small-scale developments being turned down that should have been approved. Had their economic impact been taken into consideration, they possibly would

have been approved. However, it is far harder to calculate that for much larger developments, because the long-term impact on our environment and society is much harder to measure.

**Mr Eastwood:** Will the Member give way?

**Mr Flanagan:** Yes, surely.

**Mr Eastwood:** I take it that the Member will not argue for Fermanagh's becoming an economic zone if the later amendments that Sinn Féin and the DUP tabled are agreed.

**Mr Flanagan:** I thank the Member for his intervention. It is my understanding that no areas have yet been outlined as proposed zones. That needs to be dealt with. I am happy to contribute to and to participate in that debate when it comes up. We are coming up to Question Time, and I am finishing my contribution. I will deal with amendment No 20 later on.

As I said, we also support the Alliance Party amendment that would give greater recognition and protection to world heritage sites. I am told that we also support the Alliance Party amendment on greater sharing. I suppose that my gut tells me that, if we did not, it would appear to go against the notion of a shared future. I do not really know how you could oppose it and not be called some form of a bigot. However, I find it difficult to comprehend how that would apply in a planning context, particularly where an organisation, such as a Church or religious order, planned to develop a site. I would like the Alliance Party to clarify later what it means by the amendment.

John McCallister's amendment demonstrates the problem with grouping amendments for debate. I am speaking in my slot to a group of amendments, but, as Cathal outlined earlier, I really do not have a clue what the thinking is behind John McCallister's amendment. Therefore, I cannot really comment on it. I hope that he has some idea of what he is talking about. We will listen to what he has to say, because I have not yet heard any of his logic or rationale behind it. I spoke quickly to John about it, and I will not speak for him or steal his thunder, but the amendment sends out a clear message to the Minister that he needs to bring forward the required PPS as soon as possible, to ensure that there is no gap.

We all know that planning is not perfect here. Each of us could think of examples of where things could have been done differently or better. There is definite scope for reform in the planning system, but it depends on what kind of reform you want and what the outworkings will be. Those are my comments on the first group of amendments.

**Mr Speaker:** I ask the House to take its ease as we move into Question Time at 2.30 pm. We will return to the Planning Bill after Question Time, when the next Member to be called will be Peter Weir.

*The debate stood suspended.*

2.30 pm

(*Mr Deputy Speaker [Mr Beggs] in the Chair*)

## Oral Answers to Questions

### Education

**Mr Deputy Speaker:** I advise Members that question 11 has been withdrawn and transferred to the Department for Regional Development, and the Member has been notified.

#### Post-primary Schools: Craigavon

1. **Mr Moutray** asked the Minister of Education, given the support for retaining the Dickson plan, to give an assurance that he will choose option B if there is majority support for it in the responses to the public consultation on the Craigavon post-primary proposal. (AQO 4353/11-15)

**Mr O'Dowd (The Minister of Education):** I am aware that, following the public consultation on the draft post-primary area plan, the Southern Education and Library Board (SELB) issued an options paper to the boards of governors of all of the controlled post-primary schools in the Dickson Plan. The paper summarised the two main options arising from the area plan consultation and asked for boards of governors' views.

That consultation with the boards of governors is not a ballot with results deciding the outcome of the process. Rather, the returns will be taken into account by the SELB alongside all other evidence and data, including departmental policy, when deciding the way forward. For example, if we examine what is happening in Lurgan we can see that, despite the best efforts of the board of governors, senior management team and staff in Craigavon High School, Lurgan campus, they are not in a position to deliver the entitlement framework. The school is also facing a serious financial deficit. I cannot ignore those facts and neither can the managing authority. A solution must be found.

Area planning is about providing strong, vibrant schools, delivering high-quality education by using the limited resources available efficiently and effectively. In that context, it is my firm view that the Dickson plan is no longer fit for purpose. The Member will be aware that the Catholic education sector in Craigavon proposes moving away from the Dickson plan and academic selection. I believe that the best course of action for the controlled sector is to do likewise for the educational benefit of all the children and young people in that sector.

**Mr Deputy Speaker:** Members, there have been a number of conversations happening in the Chamber. I ask you to give due courtesy to the Minister and the Member asking the question.

**Mr Moutray:** I thank the Minister for his response, albeit somewhat predictable, following statements that he made last week. To date, there have been over 2,000 responses submitted to the SELB in favour of option B opposed to a handful in favour of option A. Is the Minister really intent on riding roughshod over the will of the people on the issue? Where is the parental choice he champions, if that is the case?

**Mr O'Dowd:** As I said in my answer, a consultation process on any issues carried out by my Department, or, indeed, any other Department, is not a ballot. It is not an election. We do not put proposals to the public and say, "Vote for them". However, if the Member wants to use results coming back, then five of the seven boards of governors in the Dickson plan within the controlled sector have said — [*Interruption.*] The Member is keen on majority rule. Five of the seven post-primary schools in the Dickson plan area have said that they prefer option A.

I have to decide, if and when the SELB sends me a firm proposal, whether it is option A or option B. Either of them is fit for purpose, but my decision will be based solely on this: will the proposal meet the needs of all young people in the Dickson plan area, not just those in the two schools that the Member opposite concentrates on? He only ever concentrates on Lurgan College and Portadown College. There are more than two schools in the Dickson plan area, and more than those pupils who attend those schools. All of those children need a voice and need looked after.

**Mrs D Kelly:** I thank the Minister for his response. Will he tell us a bit more about the meaning of "consultation"? How does he intend to take this decision forward?

**Mr O'Dowd:** The consultation on the draft area plans that has now concluded, as with all consultations carried out, is to ensure that the public are fully informed of the proposals in front of them, that they can respond to those proposals and that, if there are any issues within the original document that have not been foreseen by the proposers, the public or elected representatives can bring them forward. Nowhere in any piece of legislation regarding consultation does it say that it is a ballot weighted for those in favour of an option or those against the option. If the Member can point me towards legislation where it says that, I am happy to follow those instructions, but none of the Ministers or Departments work on the basis that a consultation is a ballot.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire. Will the Minister outline how those schools in the Dickson plan perform educational attainment-wise compared to the average across the North?

**Mr O'Dowd:** I thank the Member for his question. The schools in the Dickson plan area have many qualities. There are good schools in the Dickson plan area. However, my role as Minister and that of the Southern Education and Library Board is to ensure that the provision for all young people in that area is good or better.

Members on the opposite Benches would have us believe that, in comparison with the Northern average, the Dickson plan schools are leading; indeed, some of them have referred to those schools as world-class. I will quote the statistics, and Members and the public who are listening can decide whether they are world-leading or even leading across the North. The Dickson plan average for five or more GCSEs including English and maths is 56.7%, and the average in the North is 62%. The Dickson plan average for three or more A levels is 34.7%, and the average across the North is 36.4%.

Examinations are only one way to measure the success of any school or education system, but it is clear that we require change in the Dickson plan area. We require an education system that meets all the needs of all young

people in that area, not just a minority who have very vocal support in this Chamber.

### Primary Schools: Additional Places

2. **Lord Morrow** asked the Minister of Education to explain the rationale for the allocation of additional primary school places for September 2013, when the controlled primary sector has been allocated less than 20% of the additional places of the overall primary allocation. (AQO 4354/11-15)

**Mr O'Dowd:** The Department has the authority to grant additional places by way of a temporary variation, which is for one year only. This is a tightly controlled power, which is applied only in circumstances where children do not have a place available to them in a school in their preferred sector and within a reasonable travelling distance from their home, or where exceptional circumstances pertain. Temporary variations are used to address short-term demographic pressures in an area and are not about meeting parental preference for a particular school because a child has failed to gain a place in the normal transfer process.

Although there have been more temporary variation requests this year from the maintained sector than the controlled sector, I can assure the Member that each request is considered uniformly, in line with existing policy, and that the rationale for either granting or refusing places remains the same, irrespective of the sector or the school.

There will, of course, always be schools that are more popular than others for a range of reasons that regularly seek temporary variations to increase their admission numbers. However, such schools can be allowed to grow only in the context of the overall area plan through the development proposal process, which addresses the impact that that may have on other schools in the surrounding area. It is simply not sensible or responsible to grant additional places to some schools while others in the area have empty places.

**Lord Morrow:** In a written reply to a question that I submitted on this issue, the Minister stated that there were 182 additional places in the Catholic maintained sector, 63 in the integrated sector and 38 in the Irish language sector. It strikes me that the controlled sector is at the poor end of the Minister's thinking. Does he accept that that is not a fair distribution of the additional places that were allocated this year?

**Mr O'Dowd:** I do not accept the allegation. I put it to the Member that he should present more stirring evidence on any allegation that I treat the controlled sector differently from any other sector. Each case of temporary variation is measured against the criteria and each one will be judged on its merits, not on which sector it comes from or anything else. The Member may make these wild allegations, but he has no substantive evidence to support them.

**Lord Morrow:** They are your figures.

**Mr O'Dowd:** With respect, the figures reflect decisions that were made on the evidence that was presented by the schools and the parents in each case, and nothing else.

**Lord Morrow:** Prejudice.

**Mr O'Dowd:** If the Member is accusing me of prejudice, that is an allegation that I take very seriously. There are mechanisms in this Chamber —

**Lord Morrow:** We will use them.

**Mr O'Dowd:** — and outside it for the Member to bring me to account, and I invite him to use either. *[Interruption.]*

**Mr Deputy Speaker:** Order. I ask Members not to make comments from a sedentary position.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answers thus far. How does he intend to balance his aim of allowing good schools to grow while maintaining a sustainable schools estate?

**Mr O'Dowd:** I intend to do that through area planning. We need to allow popular schools to grow, but not at the expense of other schools or by the survival of the fittest in that sense. Area planning is taking its course. The post-primary plans have been through the consultation process. We have brought the boards and the managing authorities together to advance that further. The primary-school consultation ends at the end of this month, and I invite anyone who has not responded to do so. Once that consultation information is gathered together, I will bring forward further proposals as to how we allow popular schools to grow in a planned and managed way.

**Mrs Overend:** Can the Minister give a commitment that undersubscribed Irish-language schools, and nursery schools for that matter, will not be awarded additional places at the cost of places that are needed in the controlled sector? That is a concern in my constituency of Mid Ulster.

**Mr O'Dowd:** I do not know why that is a concern, because it has absolutely no basis. It is a wee bit like what the previous Member to speak from the opposite Benches said: it has no basis whatsoever. Parents who wish to send their children to Irish-medium schools are perfectly entitled to do so, and parents who wish to send their children to an Irish-medium nursery are perfectly entitled to do so. It is not measured against the availability in the controlled sector or any other sector.

### Primary Schools: Mergers

3. **Mr I McCrea** asked the Minister of Education what measures he will take to ensure that local community identity is taken into consideration when merging primary schools. (AQO 4355/11-15)

**Mr O'Dowd:** My overarching priority, when faced with a proposal for any reshaping of education provision, is to ensure that all children have access to a high quality of education, whether that is through a school amalgamation or another area solution. I also want to make sure that any such changes are sustainable.

My Department's sustainable schools policy and the guidance for area planning support the need for schools to remain closely integrated with their local communities and for those communities to engage fully with the planning process. It is important that local communities continue to be proactive in supporting and engaging with the area planning process.

Throughout the consultations on the area plans, I have emphasised that local input is key to helping shape education provision in a given area. I value the input from local community representatives, and I have met many groups to listen to their views on proposals contained in

the area plans and in relation to development proposals that have been published. Any reasonable proposal from a local community that provides for viable and sustainable provision that will deliver high-quality education will be considered in the area planning process.

**Mr I McCrea:** In his response, the Minister has given a positive commitment to ensuring that community identity is safeguarded. Does the Minister understand that there are concerns among parents who have sent their kids and other family members to different schools and fear that, as part of the merger, their identity will be lost? Can he give an assurance that the Department will safeguard that identity?

**Mr O'Dowd:** I guarantee the Member that each case will be looked at on its merits. It is difficult to know what the Member means by "identity". However, with regard to amalgamations of schools or where schools are to close, the needs and identity of a community have to be taken on board. The identity of a school may mean different things to different schools and different communities, and they will be able to give voice to that identity during the consultation process. I assure the Member that that will be taken on board before any decision is made.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his responses. What assurance will he give to small rural schools? Will local solutions be given full consideration where the Department wants to merge a small rural school with an urban school?

**Mr O'Dowd:** I thank the Member for her question. I have previously said in the House that we are not involved in a numbers game here. We are involved in a debate on the quality of education, whether it be rural schools or urban schools. I have given assurances to those schools in many ways. Last week in the House or the week before, I gave a practical assurance to small schools by not removing the small schools funding from the common funding formula proposal. That should give surety to schools on my intentions on the provision of rural education.

## 2.45 pm

I cannot be specific about the amalgamation of a rural and urban school. There may be a proposal, but it will depend on the locality, the distance between the two schools, the community, and responses to the consultation process, etc. It is worth noting that, in the sustainable schools policy, everything outside Derry City Council area and Belfast City Council area is classed as rural. So, the geographical area that we refer to as rural in our policy is quite expansive. Each proposal will be judged on its own merits.

**Mr A Maginness:** On a related matter, will the Minister explain his rationale for not giving additional places to maintained schools that have a history of oversubscription, such as St Francis' in Loughbrickland and Christ the Redeemer in Lagmore?

**Mr O'Dowd:** I am not sure how that is associated with this question — it is perhaps more associated with the previous question — but I am happy to respond to it. Mr Morrow just accused me of being prejudiced, but the Member gives two good examples. I turned down the school in Lagmore, in west Belfast, for an expansion, and I turned down a Catholic school in my own constituency for a temporary variation. I do not see how I can display fairness more

than by being prepared to turn down a school in my own constituency.

**Mr A Maginness:** Why? What was the rationale?

**Mr O'Dowd:** Why? The sums did not stack up. If I were to give those schools greater numbers, schools around them would lose numbers. I invite the Member to send me a list of the schools that he would like me to take pupils out of, because that is effectively what you would be doing. When you give one school greater numbers, another school loses out. No Member ever comes to me and says, "I want you to take children out of these schools and put them into that school." Members always come to me and say, "We want more pupils for that school." However, they never tell me where we will get them from. That is why that decision was made. It was the right decision for the area and for the provision of education in the area.

## Further Education: Area Planning

4. **Mr Swann** asked the Minister of Education for his assessment of the potential benefits from education boards taking account of the opportunities and synergies arising from integrating further education in the area planning process. (AQO 4356/11-15)

**Mr O'Dowd:** Area planning aims to ensure that there is a network of sustainable schools capable of delivering the revised curriculum and the entitlement framework. Schools have close links with the further education sector in planning and delivering a curriculum that meets the needs of their pupils, particularly in the delivery of applied or vocational courses. That helps avoid duplication, maximises the impact of scarce resources and enriches the educational experience for pupils, teachers and schools.

I fully recognise the important role that further education (FE) provision has in planning for the future. I included in the terms of reference for area planning an objective to take full account of appropriate and relevant FE sector provision for 14- to 19-year-olds. I expect planners to take account of that to ensure the efficient use of resources and avoid duplication of provision. The post-primary plans provide the foundation on which to move forward. Those will be further developed to ensure that they comply fully with the terms of reference. That development will most likely require further investigation and discussion between the education and library boards, in their role as planning authorities, and the FE sector.

**Mr Swann:** I thank the Minister for his answer. Is it too late for boards to receive new ideas in the current phase of area planning? I know that the Minister received a copy of 'A Better Way', which outlines proposals for education in Ballymena. However, there will be those in your Department and in boards who will see those proposals as a step too far and simply go for the easy option of closing schools. Will the Minister give me some reassurance that he will consider that document?

**Mr O'Dowd:** I can give the Member this reassurance: I make decisions in my Department. Someone in my Department may think that a step is too far, but I will decide whether it is a step too far. Is it too late for proposals to be brought forward? In relation to area plans, it is too late. However, it is not too late for proposals to come forward for individual schools or a group of schools. You would then enter a two-month consultation process. At that

point, I would encourage every school that is affected by a development proposal, whether directly or indirectly, to bring forward any alternative proposal that they may have. I guarantee that I will give them a fair hearing before making any decision on that development proposal.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. The Minister seems to be in right form today. What measures are in place to facilitate collaboration between schools and the further education sector, particularly in terms of meeting the criteria of the sustainable schools policy?

**Mr O'Dowd:** I thank the Member for his question and for his concern about my well-being. I continue to examine ways of making more formal the collaboration between the Department of Education (DE) and the Department for Employment and Learning (DEL) on further education colleges in area planning. Coincidentally, one of my deputy permanent secretaries has moved to become permanent secretary in DEL. That is my loss and DEL's gain. One of the first things that we did after he departed was send him a letter to say that we want to strengthen links between Education and DEL on area planning. I am continuing to explore ways to formalise that better. We are doing a good job, but I think that we can do even better through a more formal way around planning between the two sectors.

**Mr Lunn:** Does the Minister accept that the further education sector has not been given as full an opportunity to participate in the area planning process as it could have been and that there may be opportunities to increasingly use that sector to deliver the entitlement framework?

**Mr O'Dowd:** It is not up to me to speak on behalf of the further education sector. It is up to the Minister for Employment and Learning to respond to that question. I am up for further discussions and consultation with DEL and the further education sector, and I know that the sector is as well.

I have provided substantial funds to ensure that the entitlement framework continues to be funded properly and to ensure that the resources are available for schools to use further education colleges. However, my primary responsibility is to ensure that post-primary, primary and nursery education are funded before I move beyond that scope. I note that the Minister for Employment and Learning has entered the Chamber, and he may want to respond to you on those matters later. We continue to discuss those matters with DEL. In recent days, my permanent secretary sent a letter to the permanent secretary of DEL to see how we can formalise those links better, because there is clearly a wealth of resources in the FE colleges that we should be tapping into. Many schools and area learning communities are doing that, but if it can be improved upon, we will explore it and see what we can do better.

**Mr McDevitt:** Has the Minister met the Minister for Employment and Learning to discuss the issue? What guarantee can he give the House that the good practice emanating from local area partnerships is being disseminated across other partnerships?

**Mr O'Dowd:** I have had wide-ranging discussions with the Minister for Employment and Learning during our terms in office, and, yes, we have discussed the matter. I have also met representatives of the further education colleges and discussed the matter. I repeat that we

recently corresponded with DEL on how we can improve our discussions on area planning and on the use of further education colleges.

The Member mentioned working relations between the area partnerships and other partnerships. I am not sure what point he is trying to cover.

**Mr McDevitt:** I am not allowed to clarify.

**Mr O'Dowd:** I know that. The area learning communities have good working relationships among themselves and with further education colleges. Can those be improved? I suspect that they can, and we are working to improve them.

## Delivering Social Change: Teachers

5. **Ms McGahan** asked the Minister of Education for an update on the Delivering Social Change signature project to employ 230 recently qualified teachers. (AQO 4357/11-15)

**Mr O'Dowd:** The Office of the First Minister and deputy First Minister (OFMDFM)/DE Delivering Social Change project is progressing well. The principals of the selected schools have attended information sessions, and the first advert for recruitment of the teachers will be published during the week beginning 24 June. The 230 recent graduate teachers will be in post from September onwards. The project will ensure extra support for children in primary schools to achieve the expected levels in reading and maths at Key Stage 2. It will also provide tuition to pupils in post-primary schools who are not predicted to get at least a C grade in GCSE English and/or maths. A strategic oversight group led by the Western Education and Library Board was established with membership from the employing authorities, teaching unions and other educational stakeholders to develop and implement this important project. Detailed information about the scheme is available on the Western Board's website.

I am also pleased to announce that I am funding an expansion of the project and will be adding an extra 36 posts to bring more primary schools into the project and to ensure that every qualifying post-primary school has at least one full-time teacher, increasing from one to two teachers for larger schools.

**Ms McGahan:** Go raibh maith agat. How many schools have so far confirmed their participation in the scheme?

**Mr O'Dowd:** The recruitment advertisement for the scheme will be placed in the papers from the beginning of this week, and the first tranche of teachers will be in post in September. I understand that, to date, 213 schools have formally confirmed participation in the project. The majority of schools have indicated that they are seconding a member of staff to deliver literacy and numeracy schemes and recruiting a recent graduate teacher to backfill their post.

**Mr Dunne:** Thank you, Mr Deputy Speaker, and I thank the Minister for his answers to date. Can the Minister ensure equality of opportunity across the education sectors and that external opportunities will exist for young graduates rather than just internal transfers from within the school systems?

**Mr O'Dowd:** I can certainly guarantee the Member that there will be equality of treatment across the board. The scheme has been agreed with OFMDFM and is quite a

detailed proposal. A lot of preparatory work went into it, and there was some delay in the delivery of the project. However, I think that the preparatory work was vital.

Where the delivery of the scheme is concerned, a school has to agree a work plan with the Department and the board before any newly qualified teacher will be provided. It has been agreed that the best use of any newly qualified teacher is up to the school. In those circumstances, a number of schools have said that they want to release a more qualified teacher to do the detailed work on GCSEs, because they have the skills base. The newly qualified teacher will backfill, which is an unfortunate term but is one that is recognised in the education sector. They will be teaching in classrooms, which is beneficial not only to the young people who are in front of them but to the newly qualified teacher. That is because it will give them classroom experience and will allow them to put that on their curriculum vitae when they go to look for full-time posts.

**Mr Elliott:** Thank you, Mr Deputy Speaker, and I thank the Minister for that. Given that figures show that fewer than 20% of last year's teaching graduates received full-time work, what does the Minister plan as a longer-term strategy in and around this as opposed to a plan for the short term?

**Mr O'Dowd:** I would like to see this programme roll out into the future. It is not dissimilar to what is happening in Scotland, where newly qualified teachers are given a year's work placement. It has its benefits, most importantly not only to the pupils involved but to the newly qualified teachers. That is because it gives them school and classroom experience that they can put on their CVs. I have backed up this project with money from the Department, and I am putting an extra £2 million towards the project, which will allow an additional 38 teachers to come on board this year. I hope that I will be in the same position to do that next year as well. So, I would like to see this programme of work being mainstreamed in the future.

## Schools: Boards of Governors

6. **Mr Storey** asked the Minister of Education for an update on his plans to reconstitute boards of governors. (AQO 4358/11-15)

**Mr O'Dowd:** Most school boards of governors are due to be reconstituted during the 2013-14 school year. A working group, which includes staff from my Department, the five education and library boards and the Council for Catholic Maintained Schools, has been established to oversee the reconstitution process. We are fortunate to have a large number of people — over 10,000 — who willingly and freely give their time and talents to serve as school governors. I pay tribute to them and hope that many will want to continue to serve their communities in this important role. I want to see the reconstitution as an opportunity to encourage people from all walks of life to volunteer to serve as school governors. A governor recruitment campaign is planned for the autumn, and I hope that Members will join me at that stage in encouraging more people with the right skills and experience to volunteer, particularly people from groups that are currently under-represented on school boards of governors.

**Mr Storey:** In the light of the Minister's attempt today to convince the House that he is impartial in all the decisions that he makes and that he does not in any way give preference of treatment to any sector, what guarantee can he give the House that he will ensure that the controlled sector is not disadvantaged, particularly in the absence of a controlled sector body to oversee and assist in ensuring that the controlled sector is no longer treated as second class in our educational system?

**Mr O'Dowd:** The Member will be aware that, if the Education and Skills Authority (ESA) Bill and ESA were in place, the controlled sector would have a fully functioning body. That is the best way to ensure that the Member's concerns are allayed. However, I assure the Member that I have no wish or want to discriminate against the controlled sector. I put it up to any Member to show evidence to this House or to the public, the media or a court of when I have acted in any way adversely towards the controlled sector. I put it up to any Member to bring that forward, because they will not find the evidence for that.

The Member has a further guarantee. The reconstitution of boards of governors is tightly controlled under legislation, and I will ensure that that legislation is followed to the letter of the law.

3.00 pm

## Employment and Learning

### United Youth Programme

1. **Mr McGimpsey** asked the Minister for Employment and Learning for an update on the design of the United Youth programme announced by the Office of the First Minister and deputy First Minister on 9 May 2013. (AQO 4368/11-15)

**Dr Farry (The Minister for Employment and Learning):** Following the announcement of the programme, my officials met officials from the Office of the First Minister and deputy First Minister (OFMDFM) to contribute to the scope, detailed design and content of the United Youth programme. Further meetings will take place to take forward more detailed design. The programme may involve a range of measures including structured employment, work experience and volunteering and leisure opportunities, along with a dedicated scheme designed to foster good relations and a shared future. It is therefore much more than a work placement opportunity. I will, however, want to ensure that the final programme design complements the various initiatives that I have put in place under the Executive strategy Pathways to Success for people who are not in education, employment or training (NEET) plus other training and employability schemes that are in place and delivering results.

**Mr McGimpsey:** Bearing in mind that we have one in five young people unemployed and that the programme has huge potential for that sector, when will we know the details and time frame for the roll-out of the programme and how much each successful applicant will receive as payment, stipend or wage?

**Dr Farry:** I thank the Member for his question and supplementary question. Let me clarify that we do not have one in five young people unemployed at present:



that figure relates to those who are actively seeking work. It does not take into account those who are in full-time education. Obviously, the figure is still of considerable concern to us, but I want to put it into its proper context.

This is still very much a work in progress, and we are in the early days of discussions between Departments. I understand the eagerness of the Member and others that the details of this be released as soon as possible, but it is important that we get the programme right and ensure that it delivers real results for young people and builds on the existing programmes that we have, rather than doing them damage. I am confident that we can work through this and ensure that we are able to deliver it. I share the aspirations that the Member has outlined: to expand significantly the work that my Department and the wider Executive do to interact with young people, give them a stake in society and ensure that they have a sustainable future in our economy.

**Mr F McCann:** Go raibh míle maith agat. I thank the Minister for his answers thus far. How will the outworkings of the proposal impact on the number of young people who are economically inactive?

**Dr Farry:** We need to see how it will work out in practice. We need to see how many people go through the various schemes during each year. However, the more we engage with our young people, the greater the impact that we will have in giving them meaningful activity and, most importantly, job opportunities.

I also highlight the importance of working through the education system and, rather than having a situation where people become NEET and we try to address that, we need to anticipate where there are vulnerabilities with young people and put in place sufficient support to engage with them, support them through education and support them in their transition to the world of work in due course.

**Mr Eastwood:** I thank the Minister for his answers so far. I welcome the fact that he has had discussions with OFMDFM officials since the announcement. Will he detail the discussions that he had with OFMDFM officials before the announcement?

**Dr Farry:** As the Member well knows, the scheme, alongside the other components of the package, is something that was not necessarily shared with other members of the Executive. It is fair to say that I am over the shock of that experience, and we move on from it. I certainly recognise the desire and the central importance of this aspect of the wider Together: Building a United Community proposals. I understand the ambition that lies behind them and see merit in our ability to increase significantly the impact that we have in dealing with young people. My focus now is to work with other Departments to ensure that we have a very good programme in place for Northern Ireland that delivers those results.

**Mr Allister:** Can the Minister yet give an assurance to the House that the funding of these matters, which are being imposed by OFMDFM, will not adversely impact whatsoever on any scheme currently funded by the Department for Employment and Learning (DEL)?

**Dr Farry:** Once again, we are working through the details on all of this, but I have been considerably reassured by the comments that my advisers and officials have reported from discussions that they have had with their counterparts

that there is a desire to build on existing provision. There are commitments that additional funding will be made available to implement not just this scheme but other aspects of the wider proposals. Again, that has still to be formally confirmed.

I take the opportunity to highlight the fact that our Pathways to Success strategy is funded and resourced to the end of this comprehensive spending review period, which is March 2015, but we need to give consideration to what the landscape and funding will be beyond that. Obviously, this programme is not a short-term intervention; it is meant to be a long-term intervention over the coming years for the young people of Northern Ireland.

**Mr Deputy Speaker:** I again ask Members to respect the Chamber and the Minister or Member who has the Floor.

## IT Skills

2. **Mr Lunn** asked the Minister for Employment and Learning for an update on the provision of skills for the IT industry. (AQO 4369/11-15)

**Dr Farry:** Skills in science, technology, engineering and maths — STEM subjects — are becoming increasingly important to our economy. That being the case, I am providing an additional 1,200 STEM undergraduate places by 2015 and a 60% increase in publicly supported PhDs in economically relevant areas.

In recognition of the high growth potential of the ICT industry in particular, I have identified ICT as a priority sector for my Department. I chair an ICT working group, which includes representation from employers, colleges, universities and other Departments. In June 2012, I launched the related ICT action plan in order to address the specific skills issues within the sector. Progress since then has been significant. For example, Queen's University and the University of Ulster have over 100 students enrolled on the new MSc courses for non-IT graduates, with many already securing employment in the sector. Undergraduate applications have also increased by over 24% at both universities. In addition, a new A level in software and systems development will be available in Northern Ireland from September 2013.

The Assured Skills programme continues to support the growth of the ICT industry. An example of that is the successful Software Testers Academy, on which a third cohort will commence training in September. That model is being adapted to meet the future needs of the ICT sector in the areas of cloud and data analytics.

Thirty-two apprentices have been employed in the local ICT sector through an apprenticeship pilot programme. A second cohort is now in train, and a higher-level apprenticeship in ICT is being piloted. Also, the wider review of apprenticeships will be of direct relevance to the ICT sector.

While these measures demonstrate our proactivity and the significant progress being made, we keep the action plan under review to ensure its responsiveness to the economic context.

**Mr Lunn:** I thank the Minister for his very full answer. What next steps does he envisage to build on the good progress that has been made in this sector?

**Dr Farry:** The Member is right to stress that this has to be something that we constantly seek to evolve; we cannot be in a standstill situation. It is worth highlighting some of the additional measures that we are now considering; indeed, there will be a meeting of the ICT working group on Wednesday to review progress and look at the new steps.

The current review of apprenticeships has major potential for the ICT sector in Northern Ireland. It will provide a form of on-the-job training in a much wider range of areas and skill levels. We are also in preliminary discussions with our universities to see whether we can encourage and increase capacity. Members will know that I have stressed that we have had a significant increase in applications for computer science at both universities, which is very much to be welcomed. However, there will come a point where capacity is reached, and we need to consider how we can move beyond that.

Also, perhaps most interestingly, we today announced the launch of the Deloitte Analytics Training Academy, which has been developed in conjunction with Belfast Metropolitan College. Again, that will take non-ICT graduates and train them in a specific area that is of relevance to our ICT sector. I suspect that Members will hear a lot more about data analytics over the coming months. It is a major growth area in the ICT sector, and one that I believe Northern Ireland is well placed to have a real impact on regarding growth.

**Mr Newton:** How did the Minister determine the number and the categories of students for each of the areas that he mentioned? In order to halt any frustration there might be that young people may not get a job when they qualify, has he agreed the numbers with the sector skills council?

**Dr Farry:** I thank the Member for his question. We could put an unlimited number of people through these areas; sometimes budgets are constraints. The ICT sector in Northern Ireland is growing. It is a major area of indigenous growth and one in which we attract significant inward investment. We are poised for tens of thousands of new jobs to be created over the coming decade or longer, and that is in the current context where we do not have a lower level of corporation tax. In the event that we had the power to lower our corporation tax, the number of jobs that we could create in the sector would be hugely significant. Therefore, it is important to do all that we can to prepare our young people in that area. There are pressures for ICT skills across the world, and it is important that we are as proactive as possible in Northern Ireland. There is significant demand for ICT-skilled workers in Northern Ireland, and our challenge is to make sure that we keep up with that. At this stage, there is no risk of an oversupply of people trained in the ICT sector.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí. In his responses, the Education Minister was at pains to say how close the working relationship was between both of you and what a good job you are both doing. You are definitely within the top two for me: the top two Alliance Ministers in the Executive, of course. Can the Minister outline what discussions are ongoing to increase the number of schools that offer computer science as a qualification instead of ICT?

**Dr Farry:** I thank the Member for his question. He is not too bad himself, most days. Obviously, there are good

relations between my Department and the Department of Education; indeed, I am due to meet the Minister next Monday to advance a number of issues of joint concern.

The new A level that will be offered in local schools from September is an important development. It is important that we make a distinction between an A level in computer science and an A level in ICT. It is the ability to programme that really makes the difference in people's employability further down the line, and that is what companies want to see from the skilled young people coming through. There have been initial attempts to advertise the new A level to schools, but we also need to see an increase in the number of teachers who are able to educate young people in the A level. We also need to move away from the situation — I appreciate that this is not the policy of the Department of Education — where people publish sometimes slightly misleading tables for A-level results because there is an inbuilt incentive for schools to go for certain qualifications that will boost them in artificial A-level league tables rather than focus on the qualifications that will make a real difference to a young person's progression in the world of work.

### Lisburn Training Centre

3. **Mr Craig** asked the Minister for Employment and Learning what plans his Department has for the future of Knockmore training centre, Lisburn. (AQO 4370/11-15)

**Dr Farry:** Following the construction of the new Lisburn campus of the South Eastern Regional College, the former Knockmore facility became surplus to requirements. The property was advertised through a public sector trawl, and the Northern Ireland Transport Holding Company expressed an interest in acquiring the site. The disposal procedure has progressed under the guidance of Land and Property Services. Contracts have been exchanged, and title searches are under way. The sale is expected to be completed by the end of July 2013.

All engineering classes and a limited number of motor vehicle and construction courses were relocated from Knockmore to the college's new Lisburn campus in April 2010. That campus now has bespoke provision for engineering, construction and motor vehicle repair courses. Industry standard equipment is available in the college, including lathes, computer numerical control machines, milling machines, woodwork equipment, a mortar mill, vehicle hoists and vehicle testing equipment that replicates an MOT centre. The South Eastern Regional College's other main campuses are in Bangor, Newtownards, Downpatrick, Newcastle and Ballynahinch, with Downpatrick, Newcastle and Ballynahinch having recently built premises.

**Mr Craig:** I thank the Minister for his detailed answer. I regard the potential sale to the Translink holding company as a good move as it is, potentially, a new stop to service the new Balmoral/Maze site. Does the Minister agree that there are increasing pressures on the technical college in Lisburn due to its success in having huge numbers now coming into the college? Is there anywhere else that can be used to expand the capacity of that college in Lisburn?

### 3.15 pm

**Dr Farry:** I thank the Member for his comments. It is my understanding that we will see a park-and-ride facility

emerge from the sale if it goes ahead. I will take on board his comments in relation to capacity at SERC. It is not something that has been raised directly with me, but I will undertake to ask the director if there are difficulties and, if so, how we can address those difficulties. I pay tribute to SERC for its successes. We will look to see how we can further consolidate the position of that college alongside the other colleges in Northern Ireland.

### Armagh: Educational Village

**4. Mr Irwin** asked the Minister for Employment and Learning for his assessment of the proposal to create an educational village in Armagh city incorporating the Southern Regional College, Armagh campus.  
(AQO 4371/11-15)

**Dr Farry:** While I have not seen any detailed proposals for an education village, I understand that the aim is to deliver a number of new schools on a site adjacent to the Southern Regional College's (SRC) College Hill site. The Southern Regional College provides an integrated education experience. The college will shortly present a business case regarding the building of a state-of-the-art facility aimed at providing young people with the skills needed by employers and the economy. That will likely indicate that redevelopment on the current College Hill site will be the preferred option. If the business case is satisfactory, it is likely that the scheme will progress in the very near future.

Proposals in relation to schools will be a matter primarily for the Department of Education, and I understand that no discussions have taken place at this early stage. The redevelopment of SRC can stand on its own merits and will not prejudice any other educational developments in the vicinity in the more distant future. Any school developments close to the SRC campus would further facilitate access to the entitlement framework. That opens a rich range of vocational education to help to prepare our young people for the world of work and entry into higher-level qualifications. I want young people to share experiences and not just to share physical facilities, whether that is in further education, the wider education system or society as a whole.

**Mr Irwin:** I thank the Minister for his reply. Has the Minister met any of the local groups, especially the Armagh Consensus for Post-Primary Education group?

**Dr Farry:** I have had discussions with the Southern Regional College, and I am aware that a public meeting is being held in Armagh on Wednesday evening. I look forward to having discussions with them in the near future, but I stress that my primary interest at this stage is in relation to the Southern Regional College. That development can go ahead and stand on its own merits. The wider implications for the education estate in Armagh will be for the Department of Education to take forward, rather than me.

**Mrs Dobson:** Can the Minister give the House an assurance that the Southern Regional College's plans for new campuses in Craigavon and Banbridge are on schedule? Can he give the House an update on progress?

**Dr Farry:** There already is a campus in Banbridge, and we do not anticipate any change in that regard. There may be a business case coming through for a newbuild

for Craigavon that will be a replacement for the current campuses at Lurgan and Portadown. That is somewhat further off in the distance, as no site has yet been identified for that, but work is definitely under way in regard to having a better state-of-the-art facility for the Craigavon area.

**Mr Dallat:** Given that we are talking about campuses that are on shared sites, will the Minister take this opportunity to acknowledge the outstanding contribution that colleges of further education made during the darkest days of the Troubles? Does he agree that there is an opportunity now, given that there is a review of further education, to seek out further examples where colleges of further education can be integrated with other schools?

**Dr Farry:** I concur with the broad thrust of what the Member has said: our FE system in Northern Ireland is world-class. We should celebrate it, but we should also seek to build on it.

The overarching governing policy document for the FE sector, 'FE Means Business', goes back to 2004. We are reviewing that with a view to having a new policy called 'FE 2020', which will be heavily shaped by our review of apprenticeships.

The FE sector is flexible and addresses a range of education needs and outreach with the economy. I see great potential for the sector to grow further in Northern Ireland. In turn, we have a duty to ensure that campuses and facilities are state-of-the-art and up to speed.

**Mr Lyttle:** What role will integrated training and education have in creating a more shared system?

**Dr Farry:** It is worth stressing that our further and higher education systems are integrated. They may not have the capital I before them but that is what they are about. People go into them from different backgrounds and are taught alongside each other. We should welcome that in Northern Ireland. Of course, FE campuses in different parts of Northern Ireland will tend to reflect the demographic make-up of their immediate areas. However they are open, equal facilities that cherish diversity and welcome everybody from whatever background.

### University of Ulster, Magee Campus

**5. Ms Maeve McLaughlin** asked the Minister for Employment and Learning for an update on the expansion of the University of Ulster Magee campus.  
(AQO 4372/11-15)

**Dr Farry:** The One Plan has an aspiration for a university with 9,400 full-time equivalent students by 2020, including 6,000 full-time undergraduates. There is an interim target of an increase of 1,000 undergraduate places by 2015 at the Magee campus of the University of Ulster. Since taking office, I have been able to allocate 572 additional full-time undergraduate places to the University of Ulster, which undertook to deploy those at Magee. That represents excellent progress towards the 2015 target.

I will continue to seek opportunities to secure additional higher education places in Northern Ireland, thus offering more choice to our young people who may otherwise seek to study elsewhere.

**Ms Maeve McLaughlin:** I thank the Minister for his response and his efforts in securing the additional places

for Magee. What is his assessment of the outline case for the expansion of the university that is with his Department? Will he also clarify whether additional work is needed to develop the business case? Go raibh maith agat.

**Dr Farry:** At this stage, whether or not there is a revised business case from the University of Ulster, it will not make a huge difference to what we are doing. There are two routes by which the university at Magee can expand. One is through the university making internal reallocations of student numbers, and that is an issue for it as an autonomous body. Members are entitled to lobby on that, and I have no doubt that the Member and her colleagues will do that. They will note, however, that the university is making a major relocation from Jordanstown to Belfast.

The other route is through additional places that the Executive or my Department may fund and resource in relation to the expansion of the higher education system in Northern Ireland. Over the past two years, we have managed to make considerable incremental improvements, more than we anticipated when the Budget was set in 2011. We have made good progress towards the 1,000 target. I am not ruling out further expansions in the university sector over the coming months and years. No doubt the Member will push me hard on that regard.

**Mr P Ramsey:** As the Minister outlined, the expansion is part of the One Plan, which is a main economic driver, managed by Ilex but overseen by the Office of the First Minister and deputy First Minister. What discussions, formal or otherwise, has the Minister had with the First or deputy First Minister in relation to expansion at Magee?

**Dr Farry:** We had a number of discussions on that issue over the past number of years, in particular on the tuition fee settlement for Northern Ireland. It is worth stressing that there was no expected expansion of the university sector in Northern Ireland when the Budget was set in 2011. However, we made a number of bids that were successful and will continue to do that over the coming months. I certainly recognise and respect the strength of feeling in the north-west towards Magee and how importantly it is viewed as being a driver in the economy. I know that some people would beg to differ, but I like to think that we have managed to make a significant dent in respect of the 2015 target, beyond that which, I think, people had a right to realistically expect back in 2011.

**Mr G Robinson:** Is the 2015 target realistic?

**Dr Farry:** I think that it is realistic. Of course, it is not one that I set, and neither was it set by the Executive. Bearing in mind that we are just over two years into the current comprehensive spending review period, the fact that we have allocated 572 places to Magee, out of a target of 1,000, is, I think, very good progress, and we will see how we go with regard to the target.

**Mr Cree:** The Minister will be aware of the importance of the Belfast campus and the advanced stage that it is at. Does he agree that that should not necessarily be at the expense of the expansion of the Magee campus? Can he give a commitment that that will not be the case?

**Dr Farry:** I thank the Member for his question. It would be wrong for me and, certainly, for Members to try to set Belfast against what is happening in the north-west, and I know that that has not been the case with regard to what the Member is getting at. The Belfast expansion is

an important one, and it is one that I welcome. It has the effect of building up Belfast as a university city.

If Belfast, and indeed Northern Ireland, is to be internationally competitive, our higher education system will be a key driver in that regard, and the more that we can consolidate the position of the higher education sector in Northern Ireland, the better placed we are going to be. An expansion of higher education in Belfast is not mutually contradictory to an expansion in the north-west, and I am happy to work on both those angles and, indeed, on other parts of Northern Ireland.

### STEM Careers: Female Participation

6. **Mr McQuillan** asked the Minister for Employment and Learning what measures he has put in place to increase the number of females pursuing a career in science, technology, engineering or maths. (AQO 4373/11-15)

**Dr Farry:** From the statement I made to the Assembly on 4 June, the Member will know that I am particularly concerned about that issue. We need to encourage young women to consider studying science, technology and mathematics (STEM) in school and to consider careers in those areas. On leaving school, females tend to be better qualified than males. Females are also more likely to progress to higher education, with around 60% of our university enrolments being female. However, despite proportionately more females than males participating in higher education, females account for fewer than 30% of those graduating in STEM subjects, excluding medicine and health. Over 70% of students in ICT and over 75% of those studying engineering and technology are male.

As part of the STEM strategy, my Department is working in collaboration with organisations such as e-skills uk, Improve and Semta, which are actively promoting STEM careers to females. The wider Bring IT On campaign activities, many of which are funded by my Department, engaged with over 12,000 females in 2012-13. As part of that, more than 590 girls took part in computer clubs for girls, which are extra-curricular clubs aimed at inspiring girls to consider IT-related careers.

In association with the Equality Commission, the STEM business subgroup is running a seminar on Wednesday, entitled "Are you getting the balance right?" The seminar will identify additional steps that businesses can take to make careers in STEM attractive to women. I will follow the outcomes of that seminar and the work of the subgroup with great interest.

**Mr McQuillan:** I thank the Minister for his answer. Does the Minister agree that it is vital that we get the gender balance right so that we can encourage more females into the STEM projects and encourage them to go into careers in the STEM projects?

**Dr Farry:** I thank the Member for his question and supplementary question and fully concur with what he has said. To begin with, I will go back to ICT, where we have a major imbalance in participation between the two genders. If, for example, we had equal participation from females and males in that sector, we would not only address any particular skills pressures that we have but would place Northern Ireland in an extremely competitive position internationally. That shows the potential of getting this right and ensuring that we attract people into those careers.

There are cultural myths built up around these, and there are certain stigmas building up around certain careers. They need to be broken down to ensure that people from all backgrounds and from both genders have a productive career in some of the high-growth sectors in which our economy is set to grow over the coming years.

## Executive Committee Business

### Planning Bill: Consideration Stage

#### **Clause 2 (General functions of the Department and the planning appeals commission)**

*Debate resumed on amendment Nos 1 to 19, 21 to 23, 27, 31 and 33, which amendments were:*

No 1: In page 1, line 15, after “improving” insert “social”.—  
[Mr Agnew.]

No 2: In page 1, line 16, leave out sub-paragraph (c).—  
[Ms Lo.]

No 3: In page 1, line 16, at end insert “(d) promoting environmental protection”.— [Mr Agnew.]

No 4: In page 1, line 16, at end insert “(d) protecting the environment”.— [Mr Elliott.]

No 5: In page 1, line 16, at end insert

*“(1A) For the purposes of this Order “sustainable development” means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.”.— [Ms Lo.]*

No 6: In page 1, line 19, leave out from “achieving” to the end of the line and insert

“—

*(a) achieving good design; and*

*(b) promoting shared use of the public realm between persons of different religious belief, political opinion or racial group.”.— [Ms Lo.]*

No 7: In page 2, line 5, at end insert

*“(3) The Department must, not later than 3 years after the coming into operation of section 2(1) of the Planning Act (Northern Ireland) 2013, review and publish a report on the implementation of this Article.*

*(4) The Department must make regulations setting out the terms of the review.”.— [Mr Attwood (The Minister of the Environment).]*

No 8: In page 2, line 11, after “improving” insert “social”.—  
[Mr Agnew.]

No 9: In page 2, line 12, leave out sub-paragraph (iii).—  
[Ms Lo.]

No 10: In page 2, line 12, at end insert “(iv) promoting environmental protection”.— [Mr Agnew.]

No 11: In page 2, line 12, at end insert “(iv) protecting the environment”.— [Mr Elliott.]

No 12: In page 2, line 13, at end insert

*“(2A) For the purposes of this Act “sustainable development” means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.”.— [Ms Lo.]*

No 13: In page 2, line 15, leave out from “achieving” to the end of the line and insert

“—

(a) *achieving good design; and*

(b) *promoting shared use of the public realm between persons of different religious belief, political opinion or racial group.*— [Ms Lo.]

No 14: In page 2, line 20, after “improving” insert “social”.— [Mr Agnew.]

No 15: In page 2, line 21, leave out paragraph (c).— [Ms Lo.]

No 16: In page 2, line 21, at end insert “(d) promoting environmental protection”.— [Mr Agnew.]

No 17: In page 2, line 21, at end insert “(d) protecting the environment”.— [Mr Elliott.]

No 18: In page 2, line 21, at end insert

“(aa) after subsection (1), insert -

“(1A) For the purposes of this Act “sustainable development” means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.”;”— [Ms Lo.]

No 19: In page 2, line 23, at end insert

“promoting shared use of the public realm between persons of different religious belief, political opinion or racial group; and”.— [Ms Lo.]

No 21: In clause 6, page 5, line 23, after “economic” insert “and environmental”.— [Mr Elliott.]

No 22: In clause 6, page 5, line 25, at end insert

“(1A) In that Article after paragraph (3) add—

“(4) The Department must, not later than 3 years after the coming into operation of section 6(1) of the Planning Act (Northern Ireland) Act 2013, review and publish a report on the implementation of this Article.

(5) The Department must make regulations setting out the terms of the review.”.— [Mr Attwood (The Minister of the Environment).]

No 23: In clause 6, page 5, line 30, after “economic” insert “and environmental”.— [Mr Elliott.]

No 27: After clause 16 insert

**“World Heritage Sites**

**16A.**—(1) Before Article 50 of the 1991 Order (Conservation areas) insert—

**“World Heritage Sites**

49A(1) In exercising any powers under this Order in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—

(a) *protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and*

(b) *Preserving the character and appearance of the World Heritage Site or its buffer zone.*

(2) In this Article—

“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.

(2) Before section 104 of the 2011 Act (Conservation areas) insert—

**“World Heritage Sites**

103A.—(1) In exercising any powers under this Act in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—

(a) *Protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and*

(b) *Preserving the character and appearance of the World Heritage Site or its buffer zone.*

(2) In this Section—

“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.— [Ms Lo.]

No 31: In clause 27, page 16, line 31, after “1” insert “2(1), 6(1)”.— [Mr Attwood (The Minister of the Environment).]

No 33: In clause 27, page 16, line 33, at end insert

“(1A) Sections 2(1) and 6(1) come into operation 4 months after the day on which this Act receives Royal Assent.”.— [Mr McCallister.]

**3.30 pm**

**Mr Weir:** I rise to speak to the first group of amendments. I will try to keep my remarks reasonably brief. I believe that we could well be in for quite a long day, so I do not want to add to that.

The group 1 amendments largely break down into five separate categories, and I will touch on each of them. First, a number of amendments from the Alliance Party touch on shared space and a range of related issues. I can see where the Alliance Party is coming from. However, I have a little difficulty in my own mind in working out how those issues could be fed directly into a planning decision regime. I am not quite sure of the compatibility. I understand and have sympathy at least with the direction that the Members are coming from. Although I would not be in a position to support them today, I understand that those issues may be subject to debate at Further Consideration Stage. Indeed, I suspect and understand that the Minister may make noises later about looking at them and that there may be the prospect of giving them further consideration. Therefore, I do not want to touch on them too deeply.

As with a number of the amendments, including ones that I tabled and that we will come to later, the shared spaces amendments and, indeed, a number of others, have rightly been tabled at Consideration Stage. The Committee has not has an opportunity to consult on them. However, I think that that is the nature of Consideration Stage; it is the opportunity to table such amendments.

Secondly, the amendments to clauses 2 and 6, largely speaking, fall into two categories. A number of amendments — in fact, probably the bulk of those in the group — might be described as simply providing additional language to clauses 2 and 6. That refers in particular to those from the Ulster Unionist Party and to some from Steven Agnew and the Alliance Party. Again, I would question some of those amendments. I suspect that the Minister will deal with them later. I know that other Members have questioned this particular aspect of them, and I also question the extent to which they add any particular value to what is there. I believe that they pretty much cover a range of areas that are already covered either in current planning law or, indeed, in the requirements in European legislation that are already in place. I do not think that simply to bring those requirements in again adds a great deal to the Bill or, indeed, to the current situation. Obviously, the Minister will deal with them later.

A number of amendments — specifically, the Alliance Party's amendment Nos 2, 9 and 15, as well as the proposal to oppose that clause 6 stand part of the Bill — might be described, effectively, as wrecking amendments. Let me make it clear: we have looked at clauses 2 and 6 with a high level of detail. I do not find favour with those amendments.

When we are looking at trying to enhance society in Northern Ireland, I believe that the economy will be a vital component. It is important that we follow through with the Executive's principal objective, which is to promote economic development. To that extent, we have simply got to look beyond our ivory towers at times and to the problems that exist, for example, with job creation and youth unemployment. In particular, when we look at all sides of the community, we see the number of young people who have had to leave these shores to find work elsewhere.

Clauses 2 and 6 are, largely, a clarification of the current legal position. In many ways, they put economic development very much at centre stage. However, they do not alter the fundamental position of planning law in connection with economic development. I think that it is helpful to have that degree of clarification. So, on that front, I back the Bill as it is currently drafted.

Clause 6 has been mentioned. For the Member who spoke previously, the issue with clause 6 was whether the economic advantages and disadvantages would in some way be sent out by the applicant to some sort of lobbyist to produce figures. That is not the way in which it is designed to work. Clause 6 is designed to allow economic advantages and disadvantages to be taken into account. Therefore, it is a matter for assessment by the Planning Service, and I do not believe that we have a great deal to fear. One of the spurious claims is that that will lead to a degree of conflict. I know that the Deputy Chair raised that concern earlier. As someone who has been involved

in planning cases for many years, I have to say that that happens on the ground at any stage at present.

Those who are portraying the issue of economic development as a major problem for, for instance, residents have to realise that weighing up economic advantages and disadvantages can be a double-edged sword. As someone who has tried to suggest more often that a planning application is inappropriate rather than appropriate and who has, on occasion, represented residents in cases involving the Planning Appeals Commission, I know that one of the arguments, or attempted arguments, used is that it would not be of economic advantage, only to be told that that is not a material consideration. Therefore, it can be used as a device for both applicants and objectors. When you look at the net position of economic advantage and disadvantage, you see that it cuts both ways.

There is the fairly obvious direct opposition to clause 6. As I said, there are also the three wrecking amendments — amendment Nos 2, 9 and 15 — which try to remove the references to economic consideration. The feeling that economic development is the love that dare not speak its name in planning and that the words cannot appear anywhere in the Bill is somewhat perverse. It has to be balanced against the other provisions.

I thank the Minister for amendment Nos 7, 22 and 31. I suspect that those amendments may be one of the few areas on which we find common ground today. The issues came through the Committee, and I think that the Department has taken our concern on board by tabling the amendments. A review was suggested, and, in many ways, the timescale of that review has been fast-tracked into a three-year period following the determination in 2013. Amendment Nos 7 and 22 provide for that review, which is a sensible way in which to assess how the legislation is working in practice, and I think that that is to be welcomed.

Similarly, it was the mind of the Committee to suggest amendment No 31, which provides for clauses 2(1) and 6(1) to become operational on Royal Assent. The point was made that Royal Assent will not be instantaneous. I have every confidence that the Department will be able to produce in time the guidance and, indeed, the additional planning guidance that is needed. The Department clearly agreed with and adopted the Committee's position. At times, we have seen legislation put in place but a lack of incentive on the part of various Departments to implement it. Putting in place a strict timetable after Royal Assent is in line with what is in the Bill.

I want to touch briefly on amendment No 27, which proposes a new clause. Again, although criticism has been levelled in a different direction, I will not criticise others for the fact that there has been no consultation on the proposed new clause. The Alliance Party is entirely within its rights, as is any individual, to propose such a clause, so I do not criticise on those grounds. However, I believe that the —

**Ms Lo:** Will the Member give way?

**Mr Weir:** Yes.

**Ms Lo:** It should not have come as a surprise to you, Peter, because it was in the Community Relations Council (CRC) submission, and we discussed it in Committee.

**Mr Weir:** With respect, I do not remember any proposal of that nature coming forward, but I am saying that I have no

problem with it. I just find it a little bit contradictory, given that others were criticised for tabling such amendments at this stage.

The intention of the amendment has not been overly cleverly disguised, because it is quite clear that it is a direct challenge the Runkerry decision. It is clearly its intention to add weight to the opposition to that decision.

I have to say that I believe that the Department, in reaching its assessment —

**Ms Lo:** Will the Member give way?

**Mr Weir:** I will give way.

**Ms Lo:** I am sorry, I misheard you. You are talking about the world heritage one. I was not looking at the Marshalled List. I referred earlier to the one about the CRC and shared use. It is my mistake.

**Mr Weir:** I accept the remarks of the Chair. I am saying that this was not something that was brought forward at Committee. Having said that, I believe that it is the perfect right of any Member to bring forward whatever amendments they want. Whether there was an attempt to disguise this as a general clause, it seems to me that it is a very direct attack on the Runkerry decision. There will be issues on which the Minister and I differ. However, I believe that he approached the Runkerry decision with a high level of prudence and evaluated all the factors in front of him when reaching that decision. This relatively blatant attempt to undermine the decision taken by the Minister and the Executive is, I think, a naked attempt to simply get additional legislation that could, presumably, at some point, be used in some level of legal challenge. I think that that is relatively unworthy. Therefore, I am opposed to amendment No 27.

With those remarks, I look forward to the rest of the debate.

**Mr McCallister:** Like other colleagues, I wish to see a greatly improved planning system. I would like to see one that can react speedily to the demands on it. Representing a constituency such as South Down, which is split between two planning offices, I would like to see a planning system that is consistent and does not determine results depending on what side of a boundary you fall.

I will speak predominantly on my own amendment. There seems to be some disagreement about the reasoning behind it. I will try to explain. I suppose that the main point for Mr Flanagan is that, when it comes to fracking, he is going to have to get off the fence and say what he really thinks. Anna Lo, when talking about my amendment during her contribution, talked about the dangers of having a policy vacuum before the strategic planning policy is unveiled. My amendment is an attempt to try to close the gap between when the Bill presumably receives Royal Assent and the time when the planning policy is ready. The idea of withholding enactment for an additional four months is to try to close that gap, so that the vacuum that Ms Lo talked about would be as narrow as possible. That is the reasoning behind it.

I think that I detected concern from other Members who spoke in the debate. The two clauses in question seem to go to the very heart of the debate. There is some debate as to whether we are just putting into legislation what is already in certain policies or whether we are giving it a new level; hence, we come to the other amendments,

tabled by Mr Agnew, Mr Elliott and Ms Lo. To me, that means that amendment No 33, in my name, makes perfect sense, because it does help to narrow that gap. It would not mean that we would withhold the Bill from passing. It does not stipulate that. It stipulates that the Minister has an additional four months to get his planning policy statement properly nailed down and put before us, so that we do not have the vacuum that Ms Lo talked about. I think that that is an important point to make and would be a useful inclusion in the Bill.

I hope that Members will think about that when we vote on the amendments, because I think it adds to the Bill and strengthens the opportunity for the Minister to bring forward the strategic planning policy. That is an important point.

### 3.45 pm

It is important that we protect the environment, as Mr Elliott said, and give it necessary weight by including it in the Bill. I will support some of the amendments that have been proposed by Mr Elliott, and I would like to see the House support them because there is a consensus in some parts that you cannot ignore the environmental implications of planning decisions. It would be wrong to do so. Although there is general agreement that we want to see the economy improve and speedier planning decisions, we want the right decisions to be made and to see the reasons for those decisions in a much more transparent manner. We cannot ignore the environmental considerations in those decisions. That is why I am supporting those amendments.

The Giant's Causeway is our one site with UNESCO world heritage status. It is important that we reflect on the fact that we have a site of that standing in Northern Ireland. It is right and proper that it has that status. The Bill will change the way in which planning may be looked at up there; it will give it extra protection and lift the standing of a highly regarded site on the world stage. We should be encouraging that.

We have two more rounds of debate to come, and this has been billed as probably the least contentious of the three. I am surprised that Mr Wells may not support the UNESCO status issue, but he may be persuaded by the power of other arguments. I encourage Members to look at amendment No 33 as a useful addition to the Bill that will narrow the possible policy vacuum caused by not having a strategic planning policy in place.

**Mr Attwood (The Minister of the Environment):** I thank everybody for their contributions. There are some broad matters that I have to touch upon in responding to the debate generally, and I will then turn to specific matters. Some of those broad matters I will touch on in the debates on the subsequent groupings of amendments, because I think those comments will be better made at that time.

We are elected and employed, and we will not and should not be re-employed unless we demonstrate that we measure up to the opportunities and the ambition of being a legislative Assembly. This is the third piece of legislation that has come through this House from my Department in my time as Minister: the Marine Bill, the second Carrier Bags Bill and the Planning Bill. It is a matter of regret to me that the two other pieces of legislation that I hoped would have had their First and Second Stages before



the summer, namely the road traffic Bill and the local government Bill, which would have made five pieces of legislation, are still with the Executive, although I continue to travel in the expectation, or merely only the hope, that they will get through the Executive this Thursday.

It would have been my ambition to have five pieces of substantial legislation at various stages of the process by now. Why? Because we have to define ourselves more and more by law and good law and more law, when required. That is the task that I, as Minister, set myself. I will come back to it later in response to Anna Lo on the second group of amendments, but that is one of the reasons why I could have taken the casual option and not moved the Bill this morning. However, to have this Chamber and government in good repute and to try to create good law on behalf of the people whom we represent, it was my judgement that it was a better course of action to bring the legislation to the House this morning and give the House the opportunity to interrogate what the Committee had come up with and what the amendments tabled today represented. Hopefully, on the far side of today and the Further Consideration Stage, you will have good law on behalf of the people whom we represent. Others will argue that I should not have moved it. In my view, that was good authority, good politics and good practice. We should try at all times to judge ourselves against those standards, if we are to measure up to the requirement of being a legislative Assembly.

It is probably inevitable that a Consideration Stage of a Bill looks primarily at the amendments. However, the amendments touch on one or two clauses in a Bill that has 28 clauses. Tom Elliott and Dolores Kelly touched on the point that the purpose of the Planning Bill in its initial drafting is nothing to do with some of the amendments that have now been tabled. We should not lose sight of the wood for the trees: the purpose of the Planning Bill — at times, I received contrary advice from officials in this regard — was to bring into the life of planning now, particularly in advance of RPA in 700 days, the structural and architectural changes that will make planning more and more fit for purpose. Look through some of the clauses in the Bill. What does it try to create? A statement of community involvement; pre-application community consultation; who might conduct public inquiries; matters that might be raised at a planning appeal; what should be the shape of planning agreements; what we do about tree preservation orders; and what the power should be of the Planning Appeals Commission to award costs. In those five or six examples was an attempt to put into the life of planning now the structural changes that will make planning more fit for purpose now and, in particular, more fit for purpose when planning is devolved to local councils in 700 days.

Why did I make that political judgement, which, I think, remains the right one? I made it because devolving planning to local councils in May or June 2015 is an enormous challenge and a great opportunity. The more we can get it right now and in the next two years, the more it will be right for the councils and all those who live in the new council areas. That is the primary purpose of the Bill. Whatever the debates today might be around the amendments, we should not lose sight of the fact that that is the primary purpose of the Bill. There has been a relative lack of comment from Members today about what the Bill is really about as opposed to what some people

think it is about or what others may want it to be about. We should not lose sight of all that.

Mr Boylan raised an interesting point. It was interesting because of what it revealed — that is not a criticism of Mr Boylan; I live with planning every day. It is in my face and in other people's faces, if that is not too rude a comment. There are things going on that I and others know about, but they might not be widely known about, even though they reflect well on the planning system. The example that I will give, before I give a series of examples, came from Mr Boylan's contribution. He said that you could have a situation where pharmaceutical or life science industries were located on industrial sites and could have their business opportunities and potential growth compromised by the fact that an applicant — Mrs Kelly knows about this; she knows what I am going to talk about — especially one from, let us say, a waste background, attempts to build a waste facility next to them. Mr Boylan said that the planning system needed to deal with that and give certainty to life science businesses that their future ambitions would not be compromised by having a dirty plant nearby, as they need a clean environment, clean air and all the rest.

In October 2011, there was a planning appeals decision in respect of an applicant who had been denied planning permission. What for? A waste facility. Where? Next to Almac in Craigavon. On the far side of that planning appeals decision, we went away and changed planning guidance to ensure that, in the future, if an applicant came along to create something that was not compatible with, for example, existing pharmaceutical or life science businesses on an industrial estate, the guidance would be that that should not happen. What did that do? It gave confidence to the likes of Almac to invest, and out of that confidence — a confidence that was contributed to in many other ways, including by DETI and INI — came the announcement two weeks ago of new jobs in Almac.

The point of that story is that, when there is a problem in planning that is hostile to or an impediment to economic opportunity — surely jobs in the life science and pharmaceutical industries are added-value employment opportunities in this part of the world — you have to go at it hard and try to solve it. You can solve it, as that example demonstrates

Complementary to that were the comments by Simon Hamilton, who said that I had a personal involvement in article 31 decisions. In my view, planning Ministers, whoever they are, should have a personal involvement in article 31 applications. Why? Because they are decided by the Minister, they have significant economic opportunity and they are particularly challenging because there could be consequences for our heritage and environment. I do not think that having a role in article 31s is personal to me; it is a role that all planning Ministers should interrogate. So, just as the Almac example demonstrates that a problem identified in the planning system can be resolved and worked through in a way that enables further development and economic opportunity, similarly, when it comes to article 31s, the Minister, whoever that Minister is — I am sure that the Ministers before me should have been and would have wanted to be judged against the same standard — should personally be involved. If necessary, he or she should micromanage consistent with good evidence and good process. The consequence

of that is that a decision has been made on 75% of the 60-odd article 31s that I inherited in May 2011. Yes, some of them are going to planning appeal, but a decision has been made on about 75% of them.

The point is that, whatever about people tabling amendments — people are entitled to table amendments, and I welcome the debate, because the more we get to the essence of what is required around planning, the better we are, even if, as I will say in a minute, I do not like some of the amendments — there are ways and means in the planning system, in a complementary way to the Planning Bill, to do that which is necessary to achieve a planning system that is most fit for purpose.

Two Fridays ago, on the way back from London, I had a meeting in the City Airport. Who with? Tony O'Neill from Moy Park. Why? Because, given the crisis we have had with our meat, Moy Park has an ambition to potentially build or to help people to build 400 chicken houses over the next period. Why? Because, on the far side of that, there will be 2,200 jobs. What is the benefit of that? Beyond the fact that there will be work for people, it will build up the profile of agrifood in the North when the consumer and even the big retailers have big issues around the agrifood chain. So, that is another example of how — whatever about the Bill and whatever some in other Departments think they can do when it comes to the planning system — unless you actively manage the planning system, you will not be able to change it. If you actively manage it and have a series of interventions around planning, working with the law as it may or may not be passed by the Assembly, you can get to a far better place.

#### 4.00 pm

I am not in denial about there being issues around the planning system, but nobody should be in denial that many of those corners have been turned over the past while and there are still corners to turn. I met one of the trade organisations recently. It wrote to me that there had been some changes and improvements but really the thing had not changed much. Yet, after hearing the narrative around where planning is and the ambition to change it further in the future, they left that room with the conclusion that planning was to be different. People in the Chamber today have been, in my view, somewhat casually saying what the weaknesses are in the planning system, rather than talking about the scale of what has and has not happened.

I will give some further examples. The planning system has seen decisions on new article 31 applications for Windsor Park, Narrow Water bridge, the police college and others all in or around six months or less. Windsor Park was decided in 11 weeks. When it comes to renewable energy applications — I have figures here, and I will lodge them in the Library — over the last year, more than 600 individual wind turbines applications have been issued. When it comes to the issue of renewables — in my view, Ireland's biggest economic opportunity — the problem is not planning; the issue will be whether those who got the approvals can pay the cost of taking them forward and whether they will get grid connection in any case. So, a look at the Department's actions in changing planning guidance around life sciences, the article 31s, the renewable energy applications, permitted development rights, the timelines generally for minor, intermediate and

major applications and so on and so forth demonstrates more and more the good authority of the planning system, which must more and more demonstrate that good authority in the future. That is the narrative that has to be told, rather than the casual approach of some who think that the planning system has not changed that much and needs more fundamental review.

Mr Hamilton commented on what was said to the Committee in respect of the Planning Bill by the statutory adviser to the Department, the CNCC. I was not aware of those comments. I have had differences of opinion with the CNCC or its members heretofore, but, whatever that person did or did not say — people are wise enough to draw conclusions about what that person is purported to have said and whether it is or is not valid — people have the right to dissent. My view is that there is much to dissent from. Our society is the better because people demanded the right to dissent, and there was much from to dissent from over many decades. If people do not dissent, what is the point in many things? Whatever about that individual's comments about the Planning Bill, I will be very precious about protecting that person's right to express those views. If they are not the prevailing wisdom around things, so be it.

Mr Deputy Speaker, I am sure that you are glad to hear that I will deal now with the amendments that have been tabled. I intend to go through them, because I am not somebody who thinks that there should be a one-size-fits-all approach to amendments and that we are for all of them or against all of them. Although I have a view on the character of the amendments that have been tabled today — I advised my Executive colleagues this morning of my view of them — I want to explain in some detail what there may be an opportunity to move forward positively, what we should just oppose and what I am prepared to accept the will of the House on, where one or two particular amendments are concerned, although I am not willing to support them.

Before doing so and having been prompted by the Deputy Chair of the Committee, I will just confirm a number of matters that, I think, are important, because the Committee asked for this reassurance. First, before doing so, however, I again acknowledge the Committee's co-operation and hard work during the process. As the Deputy Chair indicated, this moved very promptly on the far side of the Committee Stage, unlike — he did not name it — the Marine Bill, which did not move so promptly.

**Mr Hamilton:** They balance each other out.

**Mr Attwood:** It does balance things out, although there was maybe a lesson in the Marine Bill. We took time to get it right. Maybe, on this occasion, others have not taken time to get things right. I am sure that we will come back to that when discussing the second group of amendments shortly.

Given that the Committee asked about this and I want to advise the Assembly of it, I also confirm that the Department will publish the single strategic planning policy statement at the earliest possible opportunity. I intend to do that with the aim of publishing it for public consultation later this year. The Chair of the Committee is noting that as I speak.

I will explain why we are going down the road of a single strategic planning policy statement. It is my view that there are too many words on planning in the North and not enough clarity on the meaning and outcome of all

those words. Borrowing from the Scottish Government's experience — they are reviewing their single planning policy statement, and they gathered it all in one place in a single statement and collapsed the number of words down but did not change the fundamentals of the values, law or policies that should inform planning going forward — I think that that is the right approach here. So, as part of the most radical reform of planning in a generation in this part of the world, capturing in a single planning policy statement the purpose and principles of planning and planning policy statements in a way that provides a pathway to all those who want to understand and navigate the planning system, be they developer, community or third party, is, I think, the right approach.

Consultants were recently appointed, and they are already in conversation with external organisations about the shape of all that. The intention is that, by the end of this year, there will be a consultation on the single strategic planning policy statement. There is also the further ambition thereafter that, in time for the devolution of planning functions to local government, we will have a single strategic planning policy statement to help everybody but particularly the councils as they undertake the heavy responsibilities of planning going forward.

The Deputy Chair invited me to confirm this, so I will also advise that the statement will elaborate on planning policy in relation to the threefold policy requirements in clause 2, which might be broadened before the end of the day: furthering sustainable development, promoting or improving well-being and promoting economic development. As Members have rightly pointed out, those principles and words need to be shaped so that those who are engaging with or are responsible for the planning system have greater certainty about what they all mean.

Without getting into some of the more controversial words, I will give you an example. It is my understanding that the clause promoting or improving well-being was a consequence of a late discussion at the Committee Stage of the Planning Bill that became the Planning Act 2011. As I understand it, there had not been much conversation about what promoting or improving well-being might be. There might have been some intention that the word "well-being" was being borrowed from the wider concept of the power of well-being, which at that time was being discussed in the Local Government Bill as part of the character of local government reform on the far side of RPA.

Therefore, the concept of promoting or improving well-being needs further definition, and it will be further defined through the single strategic planning policy statement. I will come back to that in a moment.

The Committee for the Environment asked me, a request that was repeated by the Deputy Chairperson, to confirm to the Assembly that the words "promoting", "furthering" and "improving" can be treated as meaning the same thing. The sections in the Planning Act 2011 that relate to sustainable development and well-being have different words: one has "furthering" while another one has "promoting" and "improving". Now we have an amendment that deals with promoting economic development, and, subject to the will of the Assembly, there may even be, under clause 2, a new sub-paragraph (iv) inserted in section 1(2)(b) of the 2011 Act to deal with environmental protection.

It seems that there are multiple words that mean the same thing, or might mean the same thing. Having taken advice at the request of the Committee, I cannot confirm to the Assembly that the words "promoting", "furthering" and "improving" can be treated as meaning the same thing. Consequently, I intend to table an amendment at Further Consideration Stage that will provide consistency of approach for the three, or perhaps four, statutory requirements that relate to the concepts of sustainable development, well-being and economic development. I will do so in order to ensure that, rather than have multiple words that might not mean the same thing, we try to have the same words that mean the same thing around those concepts.

I now turn to the amendments. First, I will deal with amendment Nos 1, 8 and 14, standing in the name of Mr Agnew. He said that he wanted to insert the word "social" but then went slightly further. I will check the Hansard report, but I believe that he said that, when he used the word "social", he meant public health. That only confirmed my concern about what was intended. I accept that the amendments are well-intentioned, but I also have to conclude that the narrowing of the word "well-being" to "social well-being" and the further narrowing of the word "social" to mean public health is not the way to go forward.

For example, there was an initial proposal in the local government Bill that councils should have a power of well-being. It may well be that when the legislation comes to the Assembly, it will be a different power — the power of general competence. There is a view among many parties that the power of general competence is a better power to give to councils if it is used wisely and properly and does not allow for the expansion of local authorities' responsibility beyond that which it is proper for them to do.

If we are going to have in law a concept of promoting or improving well-being, which is to be defined by a single strategic planning policy statement, it is better to use the word "well-being" rather than narrow it immediately to "social well-being" and then narrow it further, employing the words used by Mr Agnew. If it was originally the intention to borrow that concept from the wider power of well-being in the local government Bill, I do not think that our councils will have been very impressed that "well-being" was to be narrowed to mean social well-being, and potentially narrowed again thereafter.

For the purposes of the Bill, to be consistent with the 2011 Act that was endorsed by the parties in the Assembly, and to ensure that well-being is not narrowly defined — it should not be conceptually narrowly defined but should be more broadly defined under the single strategic planning policy statement — it is better to retain the word "well-being" in the Bill rather than the more narrow concept of "social well-being". I invite Mr Agnew to reflect on that. That is why I said that there cannot be a one-size-fits-all solution. This is an example of where the better and wiser approach is the one that gives the planning process the capacity to shape that solution.

#### 4.15 pm

Remember that the single strategic planning policy statement will be subject to Executive approval. It will not be a unilateral act by a Minister: it will go to the Executive, as all planning policy statements have to. We witnessed one last week, namely PPS 16 on tourism. That had to

go to the Executive, and it was then interrogated by the Assembly. It is better to keep that concept wide. Without putting words into the Member's mouth, my sense is that most people will want the concept to be broader rather than narrower. The Member might wish to reflect on that. If the amendment is moved, I will urge Members to not support it for the reasons that I have outlined.

There is a series of amendments on environmental protection, namely amendment Nos 3, 4, 10, 11, 16 and 17, which require the Department to carry out its functions under part 2 of the 1991 order with the further objective of promoting environmental protection. As I will outline in some detail, issues around the environment are already promoted, when it comes to their protection, legislated for and, in practice and policy, accommodated in the planning system. I will explain that in some more detail when it comes to the amendments in respect of UNESCO world heritage sites. Although I have given the Executive the advice that these amendments should not be backed, in this case, unlike with the previous amendment, the will of the Assembly can prevail. When it comes to this issue of the environment, if the will of the Assembly is that, in one way or another, the view is to be reflected on the face of the Bill, so be it. I understand why the Assembly might want to go in that direction.

The advice I have given to the Executive is to oppose these amendments because there is an issue around process when it comes to some of them. It is not the best of process — and you can end up, as a consequence, not having the best of law — to have amendments of substance coming in at late stage in the absence of consultation, even though tabling such amendments is the entitlement of Members. It may be that the great legal authority in this place would give the advice that, as long as there has been an Assembly process, the threshold of consultation has been achieved. That may be the case, and it may ultimately be the view of the High Court in the event of any challenge, but I do think that —

**Mr Flanagan:** Will the Minister give way?

**Mr Attwood:** I will in a second.

I do think that when it comes to substantial amendments, there is a better approach, even if the approach of substantial amendments coming in at the Consideration Stage is not a fatal one when it comes to legislative authority.

**Mr Flanagan:** I thank the Minister for giving way. He said that the amendments on environmental protection or promoting environmental protection have not been out for public consultation. Does he not agree that the substantial number of pieces of correspondence that we have all received calling for those measures to be introduced is a form of consultation? It may not have been proactively started by his Department or by the Committee, but that is the overwhelming view of the majority of the people who have contacted MLAs.

**Mr Attwood:** I do not discount or diminish in any way the campaign that has been conducted over the past number of weeks. Does that legally qualify as consultation? Does that meet the higher threshold of participation? Does that attain the various requirements in respect of consultation under our legislation, never mind wider policy? No, it does not. The reason I make that argument is that, last week, Stephen Hammond, a Minister in the Department for

Transport, wrote me a curious letter in which he accepted the need for a new consultation on what the options might be in respect of the future of the Driver and Vehicle Agency (DVA) office in Coleraine and the 300 or more jobs up there and around the North. Why did he make that argument? It was because I made an argument to him and to his predecessor over the past two years that there are requirements generally and specifically in respect of consultation in Northern Ireland, that the threshold of consultation had not been fulfilled in respect of the DVA jobs, and that, in any case, there had not been a proper assessment of the impact of closure.

We have legally preferred mechanisms for consultation, never mind the higher requirement of participation. Amendments that come at this stage do not qualify. Nobody should pretend that they do qualify, whatever about 6,000 pieces of correspondence from whomever those might have come, as important as those are and as important as it is that we take heed of them.

That is my concern about these amendments. That said, given that, in my view, some of these amendments are not fundamentally deficient and there are other amendments that we will come to later this afternoon that, in my view, are deficient fundamentally, politically and in policy, governmental and legal terms, if the will of the Assembly is to pass one or other of these, that is for the Assembly to determine. However, I have made the argument to my Executive colleagues that I do not think that this is an amendment that should be accepted on environmental or process grounds. I will comment on it further after I give way.

**Mr Elliott:** I thank the Minister for giving way. I appreciate what he is saying. Obviously, I think that the Ulster Unionist Party amendment would give the environment more protection. Does the Minister accept Mr Anderson's argument that the amendments proposed to clause 2 would stifle economic growth?

**Mr Attwood:** No. I will come to that when we deal with the amendments relating to the concerns about economic development, but I do not accept that argument. I suppressed a planning policy statement 18 months ago. Why? In my view, it was a legal minefield and it gave too great a priority to economic issues. What is different about the clause as drafted, and what might be different if the clause were amended, is that it does not give any greater weight to economic considerations. It restates some material considerations in the planning system but does not elevate any of those considerations to a point where they are greater than others. All considerations, those in the Bill and others that might not be, and all the planning policy statements and all the policy and practice generally will inform the outcome of a planning application. I would not table clause 2 as currently drafted if I were not reassured in that regard. I will come back to that point shortly.

On amendment Nos 3, 4, 10, 11, 16 and 17, I will say that the environmental protection agenda is catered for through a wealth of European, national and local legislation, policy and practice. The Department is already bound by statute, such as the EU habitats directive, to protect the environment. In addition, the Department is bound by regulations such as the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999 and the Environmental Assessment of Plans and Programmes

Regulations (Northern Ireland) 2004. The 1991 order contains provision for the protection of listed buildings, conservation areas and trees that are subject to tree preservation orders.

Furthermore, the Department has well-established policies for environmental protection such as PPS 2, PPS 6, PPS 11 and PPS 15. Consequently, I argue that the Department is statutorily bound to protect the environment in the exercise of its functions, that it is fulfilling that role, and that this amendment is, therefore, not required. Members have heard what I have said. They have heard the advice that I have given to the Executive. If the will of the Assembly is different, that is for the Assembly to determine.

**Mr Wells:** Will the Minister give way?

**Mr Attwood:** I will give way.

**Mr Wells:** I am interested in what the Member is saying. Most of the directives that he has quoted are aimed at the protection of natural habitats — SPAs, SACs, ASSIs, etc. I had a problem in my constituency about five years ago with the mass demolition and replacement of old houses in places such as Newcastle. In one case, one house went down and an application came in for 35 apartments. That met massive opposition from the local community. The building was not listed, there was no TPO, and there certainly were no natural history issues such as any plants or animals of importance. Could it be argued under the new clause 2 that the construction of those apartments would have created 15 temporary jobs and one full-time job looking after the apartments? In that situation, how would the existing protections override the economic benefits?

**Mr Attwood:** It will come down to the words that are used, and the courts will adjudicate on that. If there are words that give elevated status to any material consideration, be it about the heritage, the environment, tourism or economic development — if there are words that, on the far side of this law or a single planning policy statement or within the current planning policy statement policy or practice, and that, after proper interrogation and assessment by the relevant authorities, including the Executive and the Assembly, give some enhanced and elevated status in the way that Mr Wells might be hinting at, you would be worried. However, that is not what is on the face of the Bill and is not a consequence of it. That is not happening in the planning system at present. I had concerns about PPS 24, and I suppressed it because, in my view, it carried the risk that issues of economic priority could have an enhanced status in a way that was damaging to the wider material considerations. I suppressed that approach, but I am satisfied with this approach. Anna Lo is not here at the moment, but I will come back to the reasons for that approach subsequently.

I am satisfied that clause 2 as it is, or even clause 2 as it might be amended, subject to the amendment that I will move at Further Consideration Stage next week, does no violence to the material considerations in the planning system. Yes, it certainly restates one in the Bill, but in restating those words in the Bill, it will, while putting them in law, not have any material impact on enhanced status for that matter when it comes to planning applications. It is curious that the advice given independently to the Environment Committee — I have not seen that advice, but it is referred to in its report and was commented upon

at some length by Mr Hamilton this morning — and the advice that I have received from lawyers all confirms the view that although there may be something written into law, if the words in the law do not give something greater status, enhanced status or greater priority, then, on the far side of a planning application, it cannot be treated in that differential way when it comes to economic development.

**Mr Flanagan:** I thank the Minister for giving way and for providing a wee bit of clarity. If this will not give any greater weighting to the economic materials, what is the purpose of the Bill and the two clauses?

**4.30 pm**

**Mr Attwood:** That is a fair question. It might even be a question that you might want to put to your colleagues in the Executive. It is a question that might be put to other members of the Executive. I did not go out of my way to seek in the Bill anything further than what was in the Act when it came to clause 2. However, others thought that it was important, and I understand why they thought it important to send out the message that the planning system in Northern Ireland is welcoming but will not compromise, as I see it, on all the material considerations that gather together in advance of a planning decision being made. I thought that it was interesting that Mr Hamilton outlined at some length and repeatedly that, whatever the words are in the Bill, they do not add in any way, shape or form to economic development having any enhanced status in the planning system. I took a note of his words, and they will be in the Hansard report. Mr Hamilton will confirm that he said that. I did not seek these words, but I did seek getting planning legislation onto the Floor of the Chamber because, in my view, you can never do enough to reform planning to make it more fit for purpose. In particular, the run down to RPA meant that we had a responsibility as legislators to try as best as possible to create a planning system that is as fit as possible for our colleagues and the management of councils and the officials in the planning system who will transfer across to councils. In my view, we had a responsibility to try to make that as good as it could be to ensure that they could make decisions as good as they could in the interests of the ratepayers, citizens and communities that they will represent on the far side of May or June 2015. In accepting that that was a requirement to release something from the Executive, I made sure that, as Mr Hamilton has confirmed and my legal advice and my own judgement confirms, there is nothing in those words or in any of those words that does violence to the wider material considerations and to the proper process when it comes to clause 2 and its impact on planning decisions.

*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

Mr Boylan asked an important question on clauses 2 and 6. He asked about clarifying what economic advantages and disadvantages might be taken account of, and Anna Lo also referred to this matter. How would the assessment be made? Would planning officials have the capacity to make these economic assessments? Would you not have to end up employing all these economic consultants to help the planning system make judgements? Given that economic development is already a material consideration and has been for as long as I know, it is already part of the narrative around planning decisions. Some may argue — I do not — that somehow or other these words

in the Bill enhance that requirement. I do not agree, but, in any case, economic considerations have been part of the planning system forever and a day, I assume. That certainly goes back a long time, and rightly so because the planning system is, clearly, an economic driver. Economic drivers result in economic development and economic opportunity for our people. Therefore, around some of the suite of planning policy statements is the issue of economic opportunity.

**Ms Lo:** Will the Minister give way?

**Mr Attwood:** I will in a second.

This day last week or certainly within the past two weeks, I outlined to the Assembly the consequence of PPS 16 on tourist development. We said that when it came to tourist development outside settlements in the rural countryside, there will be three opportunities for self-catering accommodation in the countryside around existing amenities, existing hotels and a third example that has gone out of my head as I speak. The point is that PPS 16 shapes the rural and settlement tourism strategy in a way that, on the one hand, creates sustainable and high quality accommodation and which, on the other hand, enables economic development to happen. I will give way to the Member.

**Ms Lo:** I thank the Minister for giving way. Does the Minister agree that although economic development has always been considered as a material element, that was only in policy? You are now putting economic development into the statute book, and it is on a legal footing.

**Mr Attwood:** I put this to the Member: do the amendments proposed by the Alliance Party and others — in fact, three parties — to advance environmental protection or the environment generally all of a sudden create some priority around the environment, compared with the other elements in clause 2? No, they do not. If those amendments are passed, or if the Bill as drafted is passed, it creates or expresses in law issues that are already, in practice, considered as material considerations. It does no more and no less than that. The advice given to your Committee and to me, and my own judgement, is that that is the situation. If there were words of greater extravagance — whether on well-being, sustainable development, economic development or the environment or environmental protection — or words that added something more, your fears would be justified, and the worst fears of many of those who wrote in might be justified. However, that is not what is in the Bill. People should draw their conclusions from what is in the Bill. To do that, they have to read what is in the Bill; and what is in the Bill, in respect of economic development, is what is in policy as well. It is no more and no less.

Let me go back to Mr Boylan's question about clarifying economic advantages and disadvantages in respect of the amendments to clauses 2 and 6. That work is still ongoing; I indicated that earlier. However, in order to be helpful, and as the SPPS guidance might be a toolkit for planners and planning authorities, including the councils in the future, I can tell you that assessment of economic advantages and disadvantages is likely to focus on three key areas. The first is a proportionate approach, depending on the scale, size and location of the proposal; secondly, the long-term sustainable economic advantages or disadvantages; and thirdly — this will be of interest

to people who see in this some worst fear — economic advantages and disadvantages in the public, as opposed to the private, interest. So, when it comes to the strategic advice that might be given on the far side of this law being passed, if that is what happens, there will not just be an assessment of what is in the private interest; there will be an assessment of the economic development that is in the public interest.

The clause as was drafted was accepted in order to move the Bill into the Assembly and to get planning more fit for purpose generally in the rundown to RPA, and although some have read their worst fears into it and others have genuine anxieties, I differentiate between the two. Those who create worst fears around any aspect of public policy in the North should be treated, in my view, with some caution. However, I am sure that many of the people who wrote in have expressed their genuine concerns. In all those ways, and I say this cautiously, there is a triple lock. The triple lock is this: the words in the law are no different from the material consideration words; the guidance will be in the image that I have outlined; and, in any case, if you begin to stray beyond that, there will be ways to hold you to account, including through the courts.

**Mr Wells:** Will the Minister give way?

**Mr Attwood:** Yes, Mr Wells.

**Mr Wells:** I have received probably more correspondence about this issue than anything else, apart from same-sex marriages. It is important that we deal with one of the reasons for opposition that was given to me. The Minister has now outlined the three factors that constitute economic public gain. Someone asked me whether that is not an economist's dream. Already out there, consultancies will be being established all over Northern Ireland, not only to represent applicants who have to meet that criteria and draw up a very comprehensive statement of the economic benefits of their proposed developments, but for opponents, who will also be forced to go out and hire economists to draw up arguments in opposition. I am not expressing a view either way, but it is important that we establish whether this will require applicants and opponents to engage the services of highly-paid, expensive consultants to argue both sides?

**Mr Attwood:** I thank the Member for his question. In one way, it brings me back to the contents page of the Planning Bill. The first thing is that, if you go to some of the planning seminars these days, Mr Deputy Speaker, with all due respect to them — I have a lot of respect for them — you will find firms, legal and otherwise, looking for new streams of work. If there is any place that they are looking for those new streams, it is around European obligations, the wild birds directive and the habitats directive, in particular. If there is to be a legal challenge or if developers or applicants are going to look for opportunities to impede work or maximise their opportunity out of this Bill, I am sure that there will be plenty of professionals who will be giving them advice so to do. Without anticipating the next stage of the Bill, that is why I told the First Minister (FM) and deputy First Minister (DFM) that their proposals about economically significant zones run counter not just to the Northern Ireland Act but to the European Convention and European obligations. Why do I say that? Because, as we learnt around the A5, such obligations can be very challenging, without getting into the rights and wrongs of that particular judgement. The requirements around the

habitats and wild birds directives can be very challenging, and you cannot short-circuit them. You cannot go round them. You cannot go through them. You have to honour and be seen to honour them, but the FM and DFM, or their parties, are proposing amendments that, in my view, try to short-circuit them.

When it comes to Mr Wells's point about whether there are people out there who will look at the Bill and think, "happy days", I think that there are people out there who are looking for opportunities to give best advice to their clients, be it companies or communities, about the demands and challenges of the planning process, not least because of the habitats and wild birds directives and other European obligations. As long as they are giving best advice, and as long as the community, the applicant and government comply with best process, I do not have any problem with it. I will come back to that point.

One of the frustrations about this debate, which has been highlighted by that question, is that, if the Planning Bill is passed, and this was one of the ambitions of bringing the Bill forward earlier than might have been the case, there is going to be, through clause 5, pre-application community consultation. Why? It is so that you create equality of arms as best you can between those who have a development proposal and those who might be affected by that proposal. It is so that you build into and embed within the planning process and outcomes the interests of the citizens and the communities. That is why clause 5 requires, when it comes to significant economic applications, a pre-application community consultation. Not only would they have to conduct that, but the developer or the agent acting on behalf of the developer would have to submit a report to the planning system, which I hope will be the Department of the Environment (DOE), not the FM and DFM. They would have to submit a planning application that reports on how that community consultation might happen.

On the one hand, there may be people out there who, for self-serving reasons — a number of developers in particular, in my view, have self-serving reasons around the planning system in the North as well as genuine reasons regarding their approach to the planning system — will look for opportunities to maybe manage this Planning Bill, especially if it is amended as people are suggesting, for their own interests. But, as long as they comply with best advice and best law, and as long as there is more equality of arms between citizens, the community and those with development proposals, the fear that Mr Wells outlined can be mitigated. I will give way.

**Mr Wells:** The Minister has been his usual articulate self, I must say, and he has certainly been dealing with the points from his perspective very well. To some extent, he has helped explain things to Members. I have a final point. He says that those consultants are out there, and I accept that, but does the very fact that he has now outlined the three criteria which must be assessed for public benefit not compel developers to put that in as part of the planning application? That is something which, perhaps, they may not have had to do before. Is that not going to be costly?

#### 4.45 pm

**Mr Attwood:** I try to be a Minister who accounts and tries to disclose. That is why I indicated the likely content of the single planning policy statement, after the process

is exhausted and after the Executive have or have not agreed to it, when it comes to issues around clauses 2 and 6 and the economic advantages and disadvantages. I gave you an insight into what the thinking might be. It might be that that will be adjusted because of the process of consultation, never mind when the Executive, or more particularly, some Ministers in the Executive, get their hands on it, and Mr Wells might have some sympathy with that view.

I tried to be helpful, but I would not draw conclusions today on the basis of what I said about what might happen in 18 months. We will see what the process leads to; we will see what the single strategic planning policy statement ends up with, and we will see what the words in the guidance might be in respect of all those issues in these clauses, including the one around economic development.

I would not rush in and draw conclusions, but I give the reassurance that, in drafting the single strategic planning policy statement, it will not be a developers' charter nor a developers' free for all: it will be the balanced outcome that I think has been demonstrated over the past couple of years. It was not easy to tell Moy Park the outcome of the Rose Energy proposal, because it is one of our biggest employers in the North. Agrifood is one of our greatest opportunities in the North, and there is opportunity to grow it disproportionately over the next number of years. That is why, before Mr Wells came in, I was talking about the conversation that I had with Mr O'Neill from Moy Park. However, in those circumstances, the environmental imperative had to prevail, just as, in exceptional circumstances, I had to recognise the economic opportunity in respect of the Runkerry hotel and golf club proposal.

**Mr Wells:** I thank the Member for giving way. I have to ask this question, because it has been put to me scores of times. To be fair to the Minister, he has taken points that have been raised by the public and answered them very well, so I have no complaints. Scores of people have talked to me about fracking, and there are very diverse views on fracking: some think that it is the ultimate panacea to our energy problems and others, mostly in Fermanagh and south Tyrone, are bitterly opposed to it.

We know enough about fracking to know that an economic assessment of fracking would show that the economic benefits to Northern Ireland would be profound. Only a fool would not realise that a cheap source of energy available in Northern Ireland that does not have to be imported and is readily accessible would bring profound economic benefits to Northern Ireland. The other side of the argument is that it would have profound environmental consequences. Given the model that the Minister has outlined, I would have thought that the economists would win hands down. The economics are so pronounced in favour of the Northern Ireland economy that the economists would win the argument hands down. Does that not put those who are opposed — the local communities — in a very difficult position?

**Mr Attwood:** I heard that argument being made in respect of the Moy Park proposal for a chicken litter facility on the banks of Lough Neagh. I have to be careful because the applicant has lodged a notice of appeal and the papers are being prepared. However, I have heard the argument that, given the scale of the chicken litter issue in the North, given the risk of infraction from Europe, and given

that it was only around that time that the competition for alternative mechanisms to deal with chicken waste were commenced by Invest Northern Ireland (INI) and the Department of Enterprise, Trade and Investment (DETI), the economic imperative has to prevail. People were saying that this is one of our biggest employers with the opportunity for big growth and, in a situation where people are looking for food security, how can you say no? In my judgement, the call should have been made earlier than I made it, and even I should have made the call earlier than I made it. However, in my view, the environmental and heritage imperative prevailed.

I had a look at the site privately, because I try to do that with article 31s. Irrespective and independent of the issues around roads, transport, the residential amenity and going into and out of small villages, it was literally on top of a lough.

On the far side of the Planning Bill, based on the factors that I took into consideration at that time, if any Minister were to look at it in the same way as I do, they would make the same decision in respect of that sort of application because the law and the words in the law are not materially changed. If they were materially changed, there would be enhanced consideration of economic development, but they are not. Consequently, if I had to make a decision on the far side of the Bill, as clause 2 is drafted, I would have no basis in law, policy or practice to give any enhanced standing to the issue of economic development when it came to that proposal. That is where I draw the reassurance. I would not have allowed — I need to be careful — I would have resisted that clause at the Executive if I had thought that the decision in respect of a Moy Park/Rose Energy application would, as a consequence of that clause, have led me or a future Minister to make a different judgement. I will give way to the Member.

**Mrs D Kelly:** I thank the Minister for giving way. I fully accept that he is dealing with his response to Mr Wells in relation to clause 2, but the argument that Mr Wells made in relation to clause 20, which is in the next set of amendments, would not have much hold: Fermanagh could be declared an economically significant zone and fracking could be allowed.

**Mr Deputy Speaker:** Order, please. Perhaps this is a convenient time to remind Members to avoid going into the next set of amendments.

**Mr Attwood:** I will not get into the next set of amendments, but, in response to Mr Wells's comment about fracking, my view is that there should be an enhanced precautionary approach. It is only on the far side of all the science that a considered judgement can be made in respect of fracking. All the science that is emerging from America, from the island of Ireland because of the exercise being conducted by the Northern Ireland Government and the Republic Government, as well as the research and science in Britain and the working group on unconventional fossil fuels as part of the European Union, will create a narrative around the science and research in respect of fracking.

In my conversations with the American EPA over the past two St Patrick's Days, my sense is that they are more cautious about fracking in America because they have less information than they might otherwise want around what is being carried out in respect of fracking, not least in the

relevant shale fields in Pennsylvania. There should be an enhanced precautionary approach. For the reasons that I outlined in respect of the Rose Energy application, the law in respect of the Bill does not give any enhanced economic reason to say yes or no to any energy application than might otherwise be the case. That is and remains my view.

I want to address a point that was made by the Chair of the Environment Committee, who is not present at the moment. He said that our planning system is not working as it should, and he referred to applications by farmers where there are grant requirements. All I can say to the Member, in his absence, is that the Agriculture Minister wrote to me some months ago and asked me about a timeline issue in respect of about 22 applications where farmers had the opportunity to draw down a grant as part of the diversification or development of their farming interest. We interrogated all those applications. Most were at a very advanced stage, if not already approved, and those that had not been approved were managed in such a way as to make sure that grant requirements were fulfilled. There were one or two cases where there were more fundamental issues around the application for planning permission in terms of agricultural development, but in 90% to 97% of cases the planning system had already been advancing those applications in a timely fashion because they recognised that there was an opportunity for development on one hand and there were timeline restrictions on the other. I will provide that information in the Assembly Library if people are minded to read it. Those cases that needed to be encouraged along, were encouraged along. Again, that is an example of the planning system demonstrating itself to be more fit for purpose.

**Mr Deputy Speaker:** Minister, just for the record, did you mean the Chairperson of the Agriculture Committee rather than the Environment Committee?

**Mr Attwood:** I did, sorry. I apologise to Mr Hamilton.

The next amendments that I want to touch on are Nos 5, 12 and 18 in respect of sustainable development. In amendment No 5, my sympathy is with Mr Agnew, who said that he was cautious about putting into law a definition of "sustainable development". I say to the proposers of that amendment that that is wise advice.

If you were to look at what is viewed as the best authority when it comes to the concept and definition of "sustainable development", you would look to a UN report of 1987, known as the Brundtland Commission. I think she was a former Norwegian Environment Minister, and as I understand it, subject to correction, she was tasked by the UN to chair a group that produced 'Report of the World Commission on Environment and Development: Our Common Future'. It sounds quite dated now because much of its language and concepts is now part of the growing daily narrative, here and in other jurisdictions.

That report tried to capture what sustainable development might be. But, sustainable development today is conceptually different from what it was when Brundtland reported to the UN, because whilst that commission saw sustainable development around the concepts of environment, economy and social impact, it is now increasingly recognised that sustainable development broadens into issues of resources and the management of resources. Therefore, the point that Mr Agnew may



have been getting at is that sustainable development is a changing concept. What it was in 1987 is different from what it is now.

Consequently, whilst it is right to have the words in the Bill, which is why in one of the better times in the Assembly the Chair of the Committee was able to win the argument — or at least to win the vote — when it came to “sustainable development” being in the Marine Bill, the words “sustainable development” are right to be in the Bill subject to amendment at Further Consideration Stage. However, to go beyond the words in the Bill is to limit the capacity of our planning system and government to shape sustainable development going forward.

I very much accept the principle and agree with the words, but urge that we do not go beyond the words for the purposes of the Bill. Leave it to the single strategic planning policy statement to define that, and to define it in the shape of things to come, because our understanding of these issues will have to be upgraded over the next short space of time.

I had a conversation with somebody this morning, I cannot remember who, about the fact that unless Northern Ireland appreciates and grasps the niche marketing opportunities as well as the sustainable opportunities for being a low-carbon economy, we will suffer the consequences of that in the years to come. The issue of sustainable development is part of the wider argument about low carbon and low carbon footprint and being a world leader in carbon reduction and low emissions. It was understandable why Mr Agnew differentiated this particular amendment from his sympathy with many others. I urge the Chamber to adopt that approach in respect of that amendment.

#### 5.00 pm

Amendment No 6 deals with the issue of shared use. I want to read into the record something on where the Department is in respect of shared use. I had a conversation with Anna Lo earlier today. I think that this amendment is, in many ways, a stand-alone amendment from the other amendments on the Marshalled List today. Why do I say that? I had the same conversation with Mr Weir, and I think that that is probably why Mr Weir said what he said in his contribution. In many ways, the planning system shapes a range of material considerations. So, regardless of whether it is economic development, sustainability or issues around the environment or tourism, the planning system has, within itself, a body of policy and practice, values and principles, if you like, as well as the law, to guide itself and others through the planning process leading to planning decisions. However, when you step back from it, it says very little, and is close to silent around the concepts, values and principles that we need to address and embed within the life of our society generally.

I, therefore, said to the Chair of the Committee, in her personal capacity as an MLA for South Belfast, that, regardless of whether the Chamber was minded to support amendment No 6 tonight, it might be useful to have a further conversation between now and the Further Consideration Stage to see whether the words are right or if there should be better words to give expression to the concept and value that Anna Lo rightly articulates in respect of her approach to shared space and public realm.

I differentiate amendment No 6 from others, because, unlike one or two others, it is, in my view, not fundamentally flawed; there is silence within the planning system around this concept and value; and it is something, which, at a political level, the Assembly needs to shape more and more, and if an opportunity to shape it more and more arises through the Planning Bill, maybe the right thing to do is to adopt the amendment or to look to an adjusted amendment at Further Consideration Stage that lives up to the intention of what is on the Marshalled List. Consequently, regardless of whether the amendment is moved or voted on — and I have to be careful, because I do not want to lose the opportunity — I would like to see something in the Bill, one way or the other, and see if we can work the amendment or adjust it in order to see something when it comes to the Further Consideration Stage, without prejudice to what the Committee might do today.

May I briefly —

**Ms Lo:** Will the Minister give way?

**Mr Attwood:** Yes.

**Ms Lo:** Minister, can you elaborate? Give me some views on how it can be improved?

**Mr Attwood:** The words might be the right words. I am taking legal advice to see whether they give proper expression to the agreed sentiment or intention behind the Member's amendment. I will get the lawyers to look at it; I have not got advice, as I speak. That is why the Chamber might be minded to accept the amendment and see if there can be further adjustment, if necessary, between now and Further Consideration Stage, or, if it is not moved, try to get the right words for Further Consideration Stage, so that there could be an agreed position that would capture this.

Whatever my misgivings about the limitations of what FM and DFM produced recently in respect of our divided community, I do not think there is any difference in the Chamber around finding more and more ways in law, policy and practice of giving shape and definition to the sentiment that the Member has outlined with regard to public realm and shared space. I do not think anybody is going to differ with that ambition. When I wrote to Executive colleagues about this amendment this morning, I said that I would like to think that, at Further Consideration Stage, we would find further words on the face of the Bill, if further words were required. I gave that political and ministerial commitment. It may be that the Chamber will say that the words, which I know to have been interrogated in the Building, are sufficient. I am just saying that I cannot stand over the words as they are until I have got legal and policy advice. It may be that the words are fine. It may be that they require adjustment at Further Consideration Stage.

Very briefly, beyond that, the Department is looking, as part of community planning and the training programme in the run down to the transfer of planning functions, at what we will do to embed in the life of councils understanding and ambition with regard to the shared future generally and shared spaces in particular. We cannot have a situation in which we devolve planning functions, including the statutory function of community planning, and not, as part of the story, look at ways in which councils might be able to work through the issue of shared space in the

run down to the review of public administration (RPA) and thereafter. We will look at that.

I also acknowledge that, as part of that amendment, there is a proposal in respect of good design. The Department, working with Queen's University in particular, has been working through issues of good design. Recently, I circulated to relevant Ministers a new design guide, 'Living Spaces: Urban Stewardship and Design Manual for Northern Ireland', which is meant to ensure that, when it comes to urban centres and inner-city neighbourhoods, the opportunity for shared space or "neutral urban space", to put it in a different way, is part of how we try to design urban areas going forward. I hope that that will be published in the near future.

I want to spend a little time — I will not delay much longer — on the proposal on world heritage sites in amendment 27. Before I make any particular comment on the current situation, I want to make it very clear that our existing planning system provides a high level of protection for the world heritage site through regional policy PPS 6 and the emerging draft northern area development plan, which contains restrictive policies with regard to proposed development in and around the site. A similar policy response — I want to stress this because the comments that have been made by UNESCO have, in part, been made from a highly uninformed place — as opposed to a legislative one is adopted in Scotland, England and Wales for the protection of other world heritage sites. That approach is in accordance with article 5 of the world heritage convention, which requires member states:

*"To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage situated on its territory"*

and to:

*"endeavor, in so far as possible, and as appropriate for each country:*

*1. to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programmes".*

What we are doing is what England, Scotland and Wales have been doing. I rebut any argument that what we have been doing has, somehow, been running a coach and horses through protections and policies that we have in place when it comes to the Giant's Causeway. To emphasise that point; the relevant policies that are contained, both in PPS 6 and the draft northern area plan, are very clear. PPS 6 policy BH 5 states that:

*"The Department will operate a presumption in favour of the preservation of World Heritage Sites. Development which would adversely affect such sites or the integrity of their settings will not be permitted unless there are exceptional circumstances."*

One cannot be any clearer than that: it will not be permitted unless there are exceptional circumstances. Again, I rebut those who claim that the Runkerry decision somehow opens the door for development in that area. I will come back to that point in a second.

Secondly, policy COU 10 of the draft northern area plan on the Giant's Causeway world heritage site states unmistakably that:

*"No development will be approved within the World Heritage Site unless there are very exceptional circumstances directly related to the provision of essential facilities for visitors and which would not be detrimental to the landscape or scientific interest of the Site."*

Relate that across and apply those standards to the Runkerry decision. In my view, those who step back from that issue and look at it fully and properly will see the application of proper policy on one hand and a proper outcome on the other.

Thirdly, DNAP policy COU 12, which deals with the distinctive landscape setting of the Giant's Causeway heritage site, states:

*"No development within the Distinctive Landscape Setting outside of settlement development limits will be approved except"*

in a small and defined number of instances. Again, that is the standard against which the Runkerry application has been and should be judged. Finally, DNAP policy COU 14, which deals with the supportive landscape setting of the Giant's Causeway world heritage site, states:

*"Development proposals outside of settlement development limits that comprise modest scale, non-residential tourist facilities that are essential for serving the requirements of visitors to the World Heritage Site only, will exceptionally be permitted in the Supportive Landscape Setting to the World Heritage Site."*

When you take all that together, you see that those are some of the most, if not the most, restrictive planning policies in the Northern Ireland system and possibly the British system as well. However, even the strictest planning policies can be outweighed by other considerations in exceptional circumstances, and that is what happened with the Runkerry decision.

A comment in this afternoon's debate gave rise to my concerns. Anna Lo said that, should the amendment on the world heritage site not be agreed, we would not get any more world heritage sites designated — I will come back to that in a second — and we might be putting the world heritage site designation for the Giant's Causeway in jeopardy. When the Member was questioned about that, she said that that advice had been given to her by the National Trust, arising from the meeting of the UNESCO world heritage committee at Phnom Penh in Cambodia over the past two weeks, which is what, I presume, she was referring to. The message that the National Trust conveyed through a Member to the House this afternoon was that, should the amendment not be passed, we will not get any further world heritage site designations and the existing one might be in jeopardy.

I would like to ask those who gave that advice to reconcile it, if they can, with the comments, many of which I do not agree with, of an individual called Mr Tim Badman. Mr Tim Badman is a senior official in an organisation called the International Union for Conservation of Nature (IUCN). The IUCN gives advice to the UNESCO world heritage committee on world heritage sites. This is what

Mr Badman, whom I will come back to shortly, said in an interview with Seamus McKee of the BBC last week. Mr McKee asked:

*“How close does it [the Giant’s Causeway] come to being put on the danger list by UNESCO?”*

Mr Badman, who is the senior adviser to the UNESCO world heritage committee and was, I believe, speaking from Phnom Penh, where, I presume, he was for the purposes of the world heritage committee meeting, said:

*“That is not a discussion that we have had.”*

Mr McKee further interrogated Mr Badman:

*“If nothing is done following this UNESCO report, does it put at risk the world heritage status of the Giant’s Causeway site?”*

Mr Badman replied:

*“I think that it is not the discussion we are having at this stage.”*

Those were Mr Badman’s words live on radio within the past 10 days. I presume that he was speaking from Phnom Penh further to whatever decision UNESCO made following the advice it had been given on world heritage sites. So, in respect of the danger list, he said:

*“That is not a discussion that we have had”*

and

*“it is not the discussion we are having at this stage.”*

Yet, somebody advised a Member of the House, apparently this morning, that, should the amendment on the world heritage site not be passed, no more properties in Northern Ireland would get a world heritage site designation and, indeed, that the existing world heritage site might be in jeopardy. I would like an explanation of that. If Mr Badman, who, I would suggest, is far closer to UNESCO than some other people, said that on the record, how is it that some other people advised the House, through the Member for South Belfast, as she outlined this afternoon. We deserve some answers.

### 5.15 pm

Further than that, as I come to the end of my contribution, I want to make two things clear in respect of whether or not UNESCO was informed about what was happening in respect of the planning application for the Runkerry golf and hotel resort. In 2010, as often happens in respect of world heritage sites, UNESCO asked for a state of conservation report. That state of conservation report was provided to UNESCO. In August 2010, the Government of Northern Ireland, through the UK Government, our intermediary for the purposes of managing the relationship with UNESCO, asked UNESCO whether it had any issues in respect of the state of conservation report. UNESCO said that, if it had any serious concerns, it would get in contact: radio silence. In April 2011, the National Trust contacted UNESCO in relation to issues around the planning application at the world heritage site: radio silence until January 2012, in the eye of the decision being made in respect of the Runkerry planning application. So, here we have an organisation that has great authority and deserves and has earned a lot of respect. Yet, when

it is asked by this Government whether it has concerns about the planning application at Runkerry or the state of conservation report, which includes reference to the planning application at Runkerry, there is radio silence. Even when the National Trust contacted UNESCO, there was radio silence for over seven or eight months. Yet we are now being asked, given the scale of protections that already exist for the world heritage site at the Giant’s Causeway — I read only some of them into the record this afternoon — to put into domestic law further protections in the terms of the amendment. In my view, the policies and protections to date are substantial. In my view, UNESCO has questions to answer in respect of how it did or did not respond around the planning application and state of conservation report. In my view, to do anything further whilst we work through all that is not the right approach. As a consequence, I urge people to resist the amendments and ask people outside the Chamber to answer some of the questions that I have put on the public record.

In any case —

**Ms Lo:** Will the Minister give way?

**Mr Attwood:** I will, in a second.

In any case, last June, I asked UNESCO to send a person to visit the world heritage site: it did so in February. Since February, on three occasions my permanent secretary has asked that the adviser to UNESCO provide a copy of the report submitted by that individual arising from his visit in February. On every occasion, we have been stonewalled. So, on the one hand, we are being asked to put into domestic law further requirements in respect of the world heritage site, but, on the other hand, the advisers to UNESCO stonewalled me, the Government in Northern Ireland and the Government of the United Kingdom in London in respect of information that I and this Assembly are entitled to see. Why should that be so?

**Ms Lo:** I thank the Minister for giving way. The Minister said that we have a raft of policies to protect the world heritage site, and yet a decision has been made that is now causing some concerns for UNESCO. Surely UNESCO has come back and expressed a lot of concern on this. Is that not an indication that we should have stronger protection such as it is recommended we put in domestic law?

**Mr Attwood:** What I find curious is that there is already a hotel on the grounds of the world heritage site, yet a proposal for a hotel development outside the world heritage site on adjoining lands and much further away from the stones is somehow to be resisted. I find it curious that there is development within the world heritage site, and rightly so: the visitors’ centre. Yet, development outside the world heritage site much further away from the stones is to be resisted. If there are questions to be asked, there are questions to be asked of everybody about why a hotel development closer to the stones is acceptable but one outside the world heritage site is not. Why is it that a development proposal for a visitors’ centre, which I support, is acceptable, yet a development proposal outside the site is not acceptable? There is a tension in that regard, and, if UNESCO, through its advisers, is not prepared to share with me after repeated requests information that it should have shared with me arising from the visit of its specialist in February 2013, I will have questions to ask about what is or is not happening. I

want to work with all those who want to protect the scale, wonder and beauty of our heritage in Northern Ireland, but if I am prepared to work with them, they must show better form when it comes to working with me.

**Ms Lo:** I thank the Minister for giving way. As I understand it, the hotel has always been there. It was built there before the designation of the world heritage site, so it has been standing there all along. It is also a listed building. The visitors' centre was built on a brownfield site and there had always been a visitors' centre there. In fact, DETI went out and had a competition and accepted a plan to build a visitors' centre. That fell through, and the National Trust took over to build the centre. That is my understanding.

**Mr Attwood:** However, the outcome is the same. There is a hotel on the world heritage site, and there is significant development on the world heritage site. I do not have any issue with either. Some people have an issue with the other development on the world heritage site, namely the big car park with the big car parking costs: I do not have any big issue with any of that. What I have an issue with is why, where there is an exceptional circumstance, where there is an opportunity to create infrastructure in arguably our biggest heritage assets, namely the north coast and where there is an opportunity to create tourist jobs, tourist spend and tourist opportunity, development within the site is allowed yet development outside the site with a hotel very close to Bushmills is being resisted.

If I am to be held accountable through the courts and through here for the decisions that I and the Department make — I have no difficulty about that — then UNESCO and its advisers should also be held to account, so that, just as people are satisfied that I am doing things right or not so right, everybody can be satisfied about whether UNESCO and its advisers or those who advise UNESCO are doing everything right and are seen to be doing everything right. That is a fair way to proceed. As regards this amendment, my view is that the protections that we have at the moment in policy and practice are exhaustive and extensive. On those grounds, I recommend to people, as I did to the Executive this morning, that we resist the amendment when it comes to world heritage sites.

Finally, I will deal with amendment No 33, which deals with the commencement clause. The amendment proposes that clauses 2 and 6 are commenced within four months of Royal Assent. As people know, I have tabled amendment No 31, which seeks to commence clauses 2 and 6 on Royal Assent. I agreed to table the amendment on behalf of the Environment Committee, the majority of whom are keen to see clauses 2 and 6 in place as soon as possible. In those circumstances, I do not see any reason to delay their commencement, and, given that the planning system becomes more and more fit for purpose, the work that has to be done before Royal Assent will, I think, be done. I therefore urge Members not to accept amendment No 33 and to support amendment No 31 commencing clauses 2 and 6 on Royal Assent.

**Mr Agnew:** I will try not to delay the House for too long. The Minister has fairly comprehensively commented on each of the clauses. I do not wish to go on for too long.

One thing has emerged from the debate. There have been concerns from some in the House about clauses 2 and 6 promoting economic development over and above other aspects of planning considerations. Those who have

sought to defend clauses 2 and 6 effectively said, "They do not do anything, so do not worry". That brings us back to the question of why they are there. Mr Hamilton reiterated — I want to get his words right — that they are there to highlight, underscore and emphasise the role of economic considerations in planning law. Essentially — it has been alluded to — we are seeking investment in Northern Ireland. We want to send a signal to investors that this is a place open for business. What concerns me is that, as was highlighted by Mr Flanagan and others, 6,700-odd of our constituents have said to us that environmental protection is important to them, yet some in the House would send no signal or comfort to them. They say, "Environmental protection is a consideration, just like economic development is a consideration already in planning, but we want to send a signal on economic development. As far as you are concerned, your calls for environmental protection will be unheard and unheeded. We do not want to send a signal to you, because you do not come with bags of cash". That is a summation of some of today's debate. Indeed, the Minister pointed to the example of the Lough Neagh incinerator. He said that he would not have taken a different decision had the Bill been passed. Such controversy, such time in the House, such debate and all the trouble of amendments for something that effectively will do nothing: I find that odd. I stand by my assertion that clause 6 will do harm. We will see how that plays out should it be passed unamended.

Ms Lo made the point that she felt that the Minister should not have moved this stage. The Minister responded that he believed that it was to the good repute of the Assembly to progress the Bill. However, I think that Ms Lo's point was that consideration needs to be given to some of the new amendments. That ties in with something that the Minister said about process and consultation on a certain amendment. We have to look at how we better consult. There is a problem. The deadline for amendments, through no fault of any of us in the Chamber, was Thursday. We are debating the Bill today, so that does not give a lot of time for consultation. As a Member who is not on the Environment Committee but has a lot of interest in what comes out of the Planning Bill, I have little opportunity to influence the Bill other than through tabling amendments at Consideration Stage and Further Consideration Stage. It is right that Members take that opportunity to table amendments, that we debate them on their merits and that we do not dismiss them due to the imperfect process that we have in front of us.

I will briefly go through the amendments. Amendment Nos 1, 8 and 14 are tabled in my name on behalf of the Green Party on the issue of social well-being. I welcome the support that was expressed by the Alliance Party and Mr Flanagan, who said that his party would support the amendments. I come back to some of the Minister's comments on the amendment. He talked about seeking to narrow the definition of well-being to social well-being and to further narrow social well-being to public health. He said, "subject to Hansard", and I suppose that I will make the same caveat. My argument is that social well-being should include public health but not be narrowed to a definition of public health. However, I would equally argue that public health has a wide definition. It is not simply about health or illness in the medical sense but wider public health, wider well-being and wider mental health. The advice that I have been given is that public

health is a very broad concept that would not hamstring councils when they receive planning powers but provide a broad concept. I sought to ensure that well-being was not interpreted simply as another economic measure — financial well-being — and that, equally, well-being was not applied to individual well-being but to public well-being and general well-being. We live in a materialistic society, and well-being is too often narrowly defined by the pounds in our pocket. There is a wider public social well-being, and that is what I sought to reflect in the amendment. That is certainly its intention and, I would hope, its outworking, should it be passed.

### 5.30 pm

Two similar amendments were tabled by the Green Party and the Ulster Unionist Party concerning the promotion of environmental protection and the protection of the environment. To some extent, I will speak on them together. When speaking on those amendments, Mr Hamilton suggested that sustainable development was already too strong a consideration in planning and expressed concern at putting in a further environmental protection. I do not know if Mr Hamilton is saying that he is in favour of unsustainable development and we should have a bit more unsustainable development because we have too much focus on sustainable development. Was he perhaps repeating a common misconception about sustainable development that it is somehow more about environmental protection than promoting economic development and seeking a balance between economic development, social well-being and environmental protection?

At times, it may appear that environmental policies have somehow been given a greater weight, but that is simply because they were given no weight for so long. It is like anything new. We notice environmental protection because, with sustainable development coming into planning policy, environmental protections were introduced where there were few or little before. Before the concept of sustainable development was taken on board, we effectively had an unfettered planning system. This is very much my interpretation, but I do not feel that environmental protection or sustainable development have been given too much weight. I find it hard to understand why anyone would argue for unsustainable development. I do not see what good that would do. It concerns me that we may be getting back to economic short-termism in our decisions: we have events and we are in economically difficult times, so anything economic must be good, even if, when we look at it on the whole, it can be more damaging than good, particularly in the medium- to long-term.

I commend the “promoting environmental protection” amendment to the House and, as the Green Party amendment comes first, I urge the Ulster Unionist Party to show the same generosity of spirit. I have said that I will support its amendment No 4, should amendment No 3 fail, and its amendment to clause 6, which I think will improve the Bill. I ask the Ulster Unionist Party to support amendment No 3. That will show solidarity between two parties that are seeking to advance a similar cause.

The thing that I am unclear about from those who oppose, and I am looking at my notes in case I have missed something, is that I have not heard from a single Member — with the exception perhaps of Mr Hamilton — about how

inserting environmental protection or its promotion into the clause would do harm in the system. I do not believe that I heard it from the Minister. He certainly alluded to the fact that we have much environmental protection under EU laws. However, it is important, as I said at the start of our debate on the Bill, that we send a signal that Northern Ireland values environmental protection, not because the EU says that we must, but because Northern Ireland values environmental protection. We have the opportunity to send that signal by supporting amendment No 3 and subsequent amendments or by supporting amendment No 4, should amendment No 3 fail. We have to be clear that the Assembly supports environmental protection, rather than saying that this Assembly will accept that it is required of us under EU law.

Amendment Nos 2, 9 and 15, spoken to by Ms Lo and tabled by the Alliance Party, aim to leave out the promotion of economic development. I have some sympathy with that because it seeks to achieve what the Green Party sought to achieve with promoting environmental protection amendments, which is to ensure that there is balance and that economic development is not given undue weight. I absolutely accept, as I am sure that Ms Lo would, that promotion of economic development is, rightly, a material consideration in our planning system. As pointed out by the Minister and by others who oppose it being withdrawn and those who promote the inclusion of economic development, it is in planning legislation already. It is part of sustainable development, so the only rationale that I can find for its specific inclusion is that we want to send a signal. Well, let us send the signal, actually, that we are still committed to sustainable development, whether by leaving “economic” out and “sustainable development” to stand by itself, or by including “environmental protection”, so that we explicitly have sustainable development spelt out in the Bill.

Peter Weir described the Alliance amendment as a wrecking amendment. He, again, referred to our current economic situation, job creation and youth unemployment. I certainly do not see it as a wrecking amendment, particularly if we accept that it adds no new material consideration by taking it away or leaving it in. If we accept the argument that the promotion of economic development does nothing to any planning decision, I do not see how you can wreck something that does nothing.

Amendment Nos 5, 12 and 18 were, again, spoken to by Ms Lo and tabled by the Alliance Party. They seek to define sustainable development, and we have had some discussion on that, so I will not rehash what has been said. In my opening remarks, I raised my concerns about defining sustainable development and doing so in this way, and we have heard from others. I think that it was Phil Flanagan who raised concerns to that effect that the Department had voiced to the Committee. Indeed, the Minister said that he concurs with some of the concerns raised. The amendments are well intentioned. The Green Party looked at and considered tabling such an amendment, but we could not find a definition that we were content would protect sustainable development in a way that truly reflects the broad understanding of what “sustainable development” means. For that reason, I still have concerns with amendment No 5 and do not intend to support it.

Amendment Nos 21 and 23 from the UUP aim to insert “environmental” into “considerations” of “economic advantages or disadvantages” in clause 6. I think, again, it is seeking to do what many of us have sought throughout the Bill and what all those who lobbied us through email have sought. It is about ensuring that balance remains. For that reason, as I said, I still cannot get beyond the fact that clause 6 will do damage.

It was a long time ago now, but I have to come back to Mr Hamilton’s assertion that my judgement should perhaps not be trusted because I said both that this was the worst thing that could happen to planning and that the G8 was the worst thing that could happen to Northern Ireland at this time. I am not sure that the final judgement has come back on the G8 because, with a bill of £60,000, and we still have not been told how much we are footing —

**Some Members:** Sixty thousand?

**Mr McCallister:** Sixty million.

**Mr Agnew:** Sixty million pounds, sorry. I thank Members for the correction. We are yet to find out what percentage of the bill for the G8 that Northern Ireland will foot, but, at Gleneagles, the Scottish Government footed two thirds of the security bill. If we were to foot that we would be looking at a bill of something like £40 million, and I definitely think there would be a debate about whether we got £40 million worth of value out of the G8. I will also add very briefly, without going too far off the Planning Bill, that it is thanks to those protesters who went out and protested peacefully and to the unions for marshalling that parade that the rally against the G8 went off so peacefully and successfully and was an advert for peaceful protest more than anything else.

Anna Lo raised the point that 88% of respondents to the Environment Committee sought to withdraw the proposed amendment to clause 6. Much has been made about sending out a signal and sending a message. I think we have to send out a signal that we are listening, and that when a Committee consults, it does so in a genuine way and listens to the concerns raised. Mr Hamilton and Mr Weir both alluded to the fact that, in planning, there is already conflict between developer and developer, neighbour and neighbour and resident and developer. I think that clause 6, in putting in legislation that planning must consider economic advantage and disadvantage, can only widen the scope for legal disagreement. I think that is the concern. It is not that there will be those for and against — of course that will always be the case — but that we will give a wider scope for legal challenge and reduce the efficiency of our planning system when we are seeking to increase its efficiency.

Amendment Nos 7 and 22, tabled by the Minister, have been broadly welcomed across the House. Mr Elliott mentioned that he proposed them at Committee Stage, and Peter Weir welcomed the fact that the Minister had followed the Committee’s recommendation. It appears, from my reading of the House, that those amendments should go through without controversy.

There is some debate over amendment Nos 31 and 33 in the timing of the enactment of clauses 2 and 6. Mr McCallister laid out that his amendment was an answer to the concerns, which Ms Lo highlighted, that between the enactment of the Bill and the production of the single planning policy we could have a gap, and that a four-

month delay would give the Minister adequate time to bring forward the single planning policy statement and give more time for consideration of that. There was some debate about whether the four-month delay was the right way, or whether that was the Minister’s amendment to leave the enactment with the Department. Mr Hamilton, speaking as Deputy Chair of the Committee, indicated that the Committee’s position was closer to the position of the Minister.

#### 5.45 pm

Amendment No 27, tabled by Ms Lo, deals with legal protection for world heritage sites. It caused some considerable debate and there was much argument that it was driven by the decision on Runkerry. There is no doubt that that decision has, perhaps, highlighted, for those who feel there is a need for it, the need for this legislation.

The argument was made that putting protection for world heritage sites into legislation could influence whether future designations are made. The Minister made a challenge for evidence of that and, I would argue, rightly so; but Ms Lo was highlighting the significance of the site. Again, this is where there has been, perhaps, some inconsistency in the arguments. We are being told that protections already exist for the site, so we do not need this amendment. However, I come back to the argument that the promotion of economic development is a material consideration in planning. Either we need to put material considerations into law or we do not; but if we do, let us be consistent about it.

On that basis, I follow the argument that I made in respect of clause 2, which is that if we are going to put material considerations into law, let us do so consistently and across the board. Let us give legal protection to the world heritage site in domestic planning law and make it clear that we value the site and will give it maximum protection.

The point was made about the hotel that is currently on the site. Ms Lo rightly pointed out that it was built before the designation. The other thing to note is that it was built by a private developer, although it is now managed by the National Trust. There was a private development on the site before it became a world heritage site, so to say that there was a development on the world heritage site is factually inaccurate. There is a development on a site that is now designated as a world heritage site. It was not designated as such at that time and, therefore, the protections were not in place. Therefore, it is arguable whether that hotel would ever have been built if we had this law. Had the site been granted world heritage status at that time, I am not sure that the same planning decision would have been made. The National Trust took on that building — as a listed building — in order to preserve something that already existed. It is important that we put the Bushmills Hotel into its proper context and do not mislead people.

**Mr Wells:** Will the Member give way? As someone who was a manager up there, I know that the Member is not referring to the Bushmills Hotel but to the Causeway Hotel. The Bushmills Hotel is down in the village.

**Mr Agnew:** I thank the Member for the correction; it is, of course, the Causeway Hotel. It has been a long day and it is going to get much longer.

I want to put that on record because there is confusion around that issue, some of which is genuine and some of which has been deliberately created in order to damage the reputation and the authority of the National Trust.

I have left amendment Nos 6 and 19, the Alliance Party amendments on supporting shared use, to the end of my winding-up speech because, as the Minister said, they are, to some extent, standalone amendments that introduce a new element into the Planning Bill. There seems to be broad support for these amendments, and the Green Party supports their principles, which I welcome. A number of Members sought clarity on their outworkings. We have heard from the Minister that we have got the principle right; there seems to be agreement on the principle. There is some question about whether the wording is right, and I will leave it to the proposers of those amendments to decide how to take that forward. They might invite amendments at Further Consideration Stage or hold back the amendments and work on a cross-party basis to improve them for the next stage.

It is a fundamental principle that we include shared use in the Planning Bill to signal an intent, as Ms Lo said, to put the OFMDFM policy of building better communities into practice. It is easy to talk about these things, but it is much harder to do them. Putting that in legislation would only be a start. There would then be a challenge for the planning process, in whatever form it takes at the end of this Bill's passage, and once powers are transferred to councils, to implement that. As part of a wider raft of Executive proposals, it would help us to move towards a genuinely shared future, in which we share our built and natural heritage.

There has been much debate on this group of amendments about the balance between economic and environmental factors and social well-being. The debate has been balanced and largely courteous. I anticipate that the tone and the balance of the debate on the next group of amendments might be different.

I thank the House for its consideration of my party's amendments and the other amendments and I look forward to the outcomes of the votes.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 33; Noes 58.*

#### **AYES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew and Mr Boylan.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale,*

*Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Eastwood and Mrs McKeivitt.*

*Question accordingly negatived.*

*Amendment No 2 not moved.*

**Mr Deputy Speaker:** Amendment No 3 is mutually exclusive with amendment No 4. Amendment No 3 proposed: In page 1, line 16, at end insert "(d) promoting environmental protection".— *[Mr Agnew.]*

**Mr Deputy Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1)(a) and 27(1)(b), there is agreement that we can dispense with the three minutes and move straight to the Division.

*Question put, That amendment No 3 be made.*

*The Assembly divided:*

*Ayes 33; Noes 57.*

#### **AYES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew and Ms Lo.*

#### **NOES**

*Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Mr Eastwood and Mrs McKeivitt.*

*Question accordingly negatived.*

*Amendment No 4 proposed: In page 1, line 16, at end insert "(d) protecting the environment".— [Mr Elliott.]*

Question put, That amendment No 4 be made.

The Assembly divided:

Ayes 31; Noes 61.

#### AYES

Mr Agnew, Mr Allister, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Swann.

Tellers for the Ayes: Mr Elliott and Mr Swann.

#### NOES

Mr Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Boylan and Mr Clarke.

Question accordingly negatived.

Amendment No 5 not moved.

Amendment No 6 not moved.

Amendment No 7 proposed: In page 2, line 5, at end insert

“(3) The Department must, not later than 3 years after the coming into operation of section 2(1) of the Planning Act (Northern Ireland) 2013, review and publish a report on the implementation of this Article.

(4) The Department must make regulations setting out the terms of the review.”.— [Mr Attwood (The Minister of the Environment).]

Question, That amendment No 7 be made, put and agreed to.

Amendment No 8 not moved.

Amendment No 9 not moved.

Amendment No 10 not moved.

Amendment No 11 not moved.

Amendment No 12 not moved.

Amendment No 13 not moved.

Amendment No 14 not moved.

Amendment No 15 not moved.

**Mr Deputy Speaker:** Amendment No 16 is mutually exclusive with amendment No 17.

Amendment No 16 not moved.

Amendment No 17 not moved.

Amendment No 18 not moved.

Amendment No 19 not moved.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

#### New Clause

**Mr Deputy Speaker:** We now come to the second group of amendments for debate. There is only one amendment in this group, amendment No 20, which makes provision for economically significant planning zone schemes.

**Mr Boylan:** I beg to move amendment No 20: After clause 3 insert

#### “Economically significant planning zone schemes

3A.—(1) In paragraph (2) of Article 2 of the 1991 Order (interpretation) after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Article 13A;”.

(2) In paragraph (2) of Article 9 of the 1991 Order (development plans) after sub-paragraph (d) insert—

“(dd) an economically significant planning zone scheme;”.

(3) After Article 13 of the 1991 Order insert—

“Economically significant planning zone schemes

#### Economically significant planning zones

13A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or illustrating the provisions of the scheme, and must specify—

(a) the development or classes of development permitted by the scheme;

(b) the land in relation to which permission is granted; and

(c) any conditions, limitations or exceptions subject to which it is granted;

and shall contain such other matters as may be prescribed by regulations made by OFMDFM.

(5) OFMDFM may at any time make an economically significant planning zone scheme in respect of any



area or alter a scheme adopted by it in respect of any area.

(6) Articles 5, 6, 7 and 8(1) shall, subject to paragraphs (7) and (8) and with any other necessary modifications, apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as they apply to the making or alteration of a development plan by the Department.

(7) Without prejudice to the generality of paragraph (6), “prescribed” in Articles 5 and 6, in relation to the making or alteration of an economically significant planning zone scheme by OFMDFM, means prescribed by regulations made by OFMDFM.

(8) Paragraph (1) of Article 8 shall apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as if, for the words from “the Department” to the end of that paragraph, there were substituted “OFMDFM may adopt the scheme or the alteration of the scheme—

(a) by order made with the consent of the Department of the Environment; or

(b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.”.

(9) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

(10) Without prejudice to paragraph (6), OFMDFM may make regulations with respect to—

(a) the form and content of economically significant planning zone schemes; and

(b) the procedure to be followed in connection with the making or alteration of such schemes.

(11) In this Article, and in Articles 13B to 13F, “OFMDFM” means the Office of the First Minister and deputy First Minister.

**Economically significant planning zone schemes: conditions and limitations on planning permission**

13B.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

(a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and

(b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development; and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

(a) to do anything not amounting to development; or

(b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out

development for which permission has been granted under the scheme.

**Duration of economically significant planning zone scheme**

13C.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme’s ceasing to have effect planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of Article 37(2) to (6) apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of Article 36(1) apply in determining for the purposes of this Article when development shall be taken to be begun.

**Alteration of economically significant planning zone scheme**

13D.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.

(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

(a) the exclusion of land from the economically significant planning zone;

(b) the withdrawal of planning permission; or

(c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject,

has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect, and the provisions of Article 36(1) apply in determining for the purposes of this paragraph when development shall be taken to be begun.

**Provision of assistance by Department to OFMDFM**

13E. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under Articles 13A to 13D.

**Modifications of references to planning permission granted by the Department, etc.**

13F. In this Order, or in any provision made under this Order—

(a) any reference to planning permission granted by the Department, except where prescribed by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme;

(b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.”.

(4) In Article 34 of the 1991 Order (duration of planning permission), in paragraph (3), after sub-paragraph (d) insert—

“(dd) to any planning permission granted by an economically significant planning zone scheme;”.

(5) In Article 121 of the 1991 Order (rights of entry), in paragraph (1)(a), after head (i) insert—

“(ia) the making or altering of a economically significant planning zone scheme relating to the land;”.

(6) In Article 124 of the 1991 Order (planning register), in paragraph (1), after sub-paragraph (g) insert—

“(gg) economically significant planning zones;”.

(7) In section 19 of the 2011 Act (exclusion of certain representations), in subsection (1), after paragraph (e) insert—

“(ee) an economically significant planning zone scheme;”.

(8) After section 38 of the 2011 Act insert—

“Economically significant planning zone schemes

**Economically significant planning zones**

38A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or

illustrating the provisions of the scheme, and must specify—

(a) the development or classes of development permitted by the scheme;

(b) the land in relation to which permission is granted; and

(c) any conditions, limitations or exceptions subject to which it is granted;

and must contain such other matters as may be prescribed by regulations made by OFMDFM.

**Making and alteration of economically significant planning zone schemes**

38B.—(1) Subject to the following provisions of this section, OFMDFM may at any time make an economically significant planning zone scheme in respect of any area or alter a scheme adopted by it in respect of any area.

(2) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

(3) Schedule 1A has effect with respect to the making and alteration of economically significant planning zone schemes and other related matters.

**Economically significant planning zone schemes: conditions and limitations on planning permission**

38C.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

(a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and

(b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development;

and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

(a) to do anything not amounting to development; or

(b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

**Duration of economically significant planning zone scheme**

38D.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme's ceasing to have effect, planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of section 64(2) to (6) and sections 65 and 66 apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of section 63(2) apply in determining for the purposes of this section when development shall be taken to be begun.

#### **Alteration of economically significant planning zone scheme**

38E.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.

(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

(a) the exclusion of land from an economically significant planning zone;

(b) the withdrawal of planning permission; or

(c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject.

has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect; and the provisions of section 63(2) apply in determining for the purposes of this subsection when development shall be taken to be begun.

#### **Provision of assistance by Department to OFMDFM**

38F. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under sections 38A to 38E.

#### **Modifications of references to planning permission, etc., granted by the Department or councils**

38G. In this Act, or in any provision made under this Act—

(a) any reference to planning permission granted by the Department or a council except where prescribed

by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme;

(b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.

(9) In section 61 of the 2011 Act (duration of planning permission), in subsection (3) after paragraph (e) insert—

“(ee) to any planning permission granted by an economically significant planning zone scheme;”.

(10) In section 236 of the 2011 Act (rights of entry), in subsection (1)(a), after head (ii) insert—

“(iia) the making or altering of an economically significant planning zone scheme relating to the land;”.

(11) In section 242 of the 2011 Act (planning register), in subsection (1), after paragraph (i) insert—

“(ij) economically significant planning zones;”.

(12) In section 250 of the 2011 Act (interpretation), in subsection (1), after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Section 38A;”.

(13) After Schedule 1 to the 2011 Act insert—

“SCHEDULE 1A

#### **ECONOMICALLY SIGNIFICANT PLANNING ZONES**

1.—(1) Where OFMDFM proposes to make or alter an economically significant planning zone scheme it must, before determining the content of its proposals, comply with this paragraph.

(2) OFMDFM must consult the council for the area or any part of the area to which the proposed economically significant planning zone scheme relates.

(3) OFMDFM must take such steps as it thinks fit to publicise—

(a) the fact that OFMDFM proposes to make or alter an economically significant planning zone scheme, and

(b) the matters which it is considering including in the proposals.

(4) OFMDFM must consider any representations that are made within the prescribed period.

2. Where OFMDFM has prepared a proposed economically significant planning zone scheme, or proposed alterations to an economically significant planning zone scheme, it must—

(a) make copies of the proposed scheme or alterations available for inspection at such places as may be prescribed,

(b) take such steps as may be prescribed for the purpose of advertising the fact that the proposed scheme or alterations are so available and the places at which, and times during which, they may be inspected,

(c) take such steps as may be prescribed for inviting objections to be made within such period as may be prescribed, and

(d) send a copy of the proposed scheme or alterations to such persons as may be prescribed.

3.—(1) Where objections to the proposed scheme or alterations are made, OFMDFM may—

(a) for the purpose of considering the objections, cause an independent examination to be carried out by—

(i) the planning appeals commission; or

(ii) a person appointed by OFMDFM: or

(b) require the objections to be considered by a person appointed by OFMDFM.

(2) Regulations made by OFMDFM may make provision with respect to the appointment, and qualifications for appointment, of persons for the purposes of this paragraph.

(3) Any person who makes objections to a proposed economically significant planning zone scheme or proposed alterations to an economically significant planning zone scheme must, if that person so requests, be given the opportunity to appear before and be heard by—

(a) the planning appeals commission; or

(b) the person appointed by OFMDFM under subparagraph (1)(a)(ii).

4.—(1) After the expiry of the period for making objections or, if objections have been made in accordance with the regulations, after considering those objections and the views of the planning appeals commission or any other person holding an independent examination or considering those objections under paragraph 3, OFMDFM may, subject to the following provisions of this paragraph, adopt the proposed scheme or the proposed alteration—

(a) by order made with the consent of the Department of the Environment; or

(b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.

(2) OFMDFM may adopt the proposals as originally prepared or as modified so as to take account of—

(a) any such objections as are mentioned in subparagraph (1) or any other objections to the proposals, or

(b) any other considerations which appear to OFMDFM to be material.

5.—(1) Without prejudice to the previous provisions of this Schedule, OFMDFM may make regulations with respect—

(a) to the form and content of economically significant planning zone schemes, and

(b) to the procedure to be followed in connection with their preparation, adoption or alteration.

(2) Any such regulations may in particular—

(a) provide for the notice to be given of, or the publicity to be given to—

(i) matters included or proposed to be included in an economically significant planning zone scheme, and

(ii) the adoption of such a scheme, or of any alteration of it, or any other prescribed procedural step, and for publicity to be given to the procedure to be followed in these respects;

(b) make provision with respect to the making and consideration of representations as to matters to be included in, or objections to, any such scheme or proposals for its alteration;

(c) make provision with respect to the circumstances in which representations with respect to the matters to be included in such a scheme or proposals for its alteration are to be treated, for the purposes of this Schedule, as being objections made in accordance with regulations;

(d) without prejudice to head (a), provide for notice to be given to particular persons of the adoption of an economically significant planning zone scheme, or an alteration to such a scheme, if they have objected to the proposals and have notified OFMDFM of their wish to receive notice, subject (if the regulations so provide) to the payment of a reasonable charge;

(e) provide for the publication and inspection of an economically significant planning zone scheme which has been adopted, or any document adopted altering such a scheme, and for copies of any such scheme or document to be made available on sale.

(3) In this Schedule, “prescribed” means prescribed by regulations made by OFMDFM.”.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak on the second group of amendments and to clarify why we want to —

**Mr Deputy Speaker:** Order. I ask Members to leave quietly please. Continue.

**Mr Boylan:** Thank you, Mr Deputy Speaker. I will clarify why I want to move amendment No 20. You can see that the amendment is eight pages long, so I do not propose to go into every single detail of it. I will try to condense the amendment down to exactly what it tries to do.

This point was brought up earlier, but this is not paving the way for fracking. The amendment will create opportunities for economically significant planning applications. In that, we are trying to create certain zones for economically beneficial planning applications. It is probably the same principle as simplified planning zones. I will outline the reasons behind it. This amendment is not about OFMDFM taking over this role, and article 13A(8) talks about working in conjunction with the Minister of the Environment. Over the past number of months, we have debated economics in the Chamber, and we have talked about growing the economy. That is one of the main principles for and priorities of the Executive. It is about creating —

**Mr Allister:** Will the Member give way?

**Mr Boylan:** Yes.

**Mr Allister:** The Member pretends to the House that this clause anticipates working with the Department of the Environment, and he referred to article 13A(8). Is it not quite clear that paragraph 8 includes a very strong alternative that, if the Department of the Environment does not co-operate, “by order” a draft can be laid and

approved by resolution of the Assembly, which is another way of saying that the ruling DUP/Sinn Féin cabal can override the Department and force its will? Is it not rather disingenuous to pretend that this is anything but a takeover? If it is about co-operation, would that be the same sort of co-operation that the Minister for Employment and Learning had in the announcement of the schemes by the First Minister in which there was no consultation whatsoever and that affected his Department ?

**Mr Boylan:** I thank the Member for his intervention. Clearly it states that at article 13A(8)(b). The Minister is here, and he will get the opportunity to say whether he wants to work with the Office of the First and deputy First Minister.

I will go back to the point that I was trying to make about why we tabled the amendment. We need to look at creating opportunities and jobs in our constituencies throughout the North to try to keep our young people here. Our young people are leaving, but if there were jobs here, they would not leave. Therefore, we want to promote and create opportunities to try to develop employment in some sectors so that we can keep our young people here.

I want to make a point that is similar to part of the argument that I made earlier on clauses 2 and 6. I said to the Minister about area plans. The area plans as they sit are not fit for purpose, but the Minister highlighted one thing, and I thank him for that. He did a bit of homework for me on Almac and what he said about a pharmaceutical company earlier. Minister, I do not believe that that is how we should go about our planning. I know that you created an opportunity to do that in that one instance, which is fine, but surely we should look at certain zones for growing the economy. In the absence of proper plans and draft plans, there is an opportunity to bring forward those types of zones so that we can create employment and grow the economy.

You mentioned pharmaceuticals. Will the Minister outline where we have an area for clean technologies to encourage clean industry throughout the North, or wherever, in any of the area plans that exist now? There are complaints and slights being made in the media about OFMDFM visits across the world to try to promote the North and attract investment. That is what we as an Assembly are trying to do. Every Minister gets up and fights his own corner for moneys and to develop and promote his Department, and here is an opportunity to go across the world to try to invite and attract investment, and the message clearly coming out is that this is not a place to do business.

The Minister is on the Executive, so he will be more aware of those arguments than I am. That is why we want to try to bring this forward. It is about tackling deprivation, it is about tackling disadvantage, it is about creating jobs and it is about attracting investment. The Minister's Department has all the knowledge and all the facts and figures. It has done all that for area plans, and it knows what areas could be zoned. It is about moving the process along. I have to say that the Minister has done some good work on some of the planning applications in recent times, and I want to put that on record, but I will use this an example, and the Minister will be able to respond —

**Mr B McCrea:** Will the Member give way?

**Mr Boylan:** Yes.

**Mr B McCrea:** It is very nice of you to say what a wonderful job the Minister has been doing. It is very generous indeed, but the effect of the amendment that you are proposing seems to make his position rather redundant. You may well say that it is a good idea that we are trying to develop jobs and all those initiatives, but presumably the next Department that you will be looking to bring similar powers to will be the Department of Enterprise, Trade and Investment. We do not really need it either, because we can do it all from OFMDFM. The objective may be laudable, but, under the Belfast Agreement, we set up a mandatory coalition in which people were given executive powers in a different way, and this particular amendment appears to cut right across that. Any party signing up to that really needs to consider its position in the Executive.

#### 6.45 pm

**Mr Boylan:** I thank the Member for the intervention, but I refer him back to new clause 13A(8)(b). I am glad that you mentioned DETI because the issue of significant applications goes right across Departments, and they all have a role to play. I said at the start, however, that it is in conjunction with the Minister of the Environment. The Minister can get involved in the process, and he will speak for himself in relation to this matter.

In praising the Minister for some things that have happened, I want to use one example. Dmac Engineering, a company in County Tyrone that the Minister is well aware of, has an opportunity to create 80 jobs and retain 150 jobs. I will stand corrected on the numbers, but it is certainly to create 80 jobs. An application process has been going on certainly for at least the past two and a half years and originally for maybe six years. It is sitting there and no decision has been made. I visited the company the other day, and it has an opportunity over the next short while to attract £10 million worth of investment. We are still in a situation where those decisions are not being made. The Minister can respond to that.

**Mr Wells:** That is an issue of great concern. However, my understanding is that Arlene Foster when Minister of the Environment announced a process whereby any application of that nature, which clearly has a significant economic benefit, could be referred to the strategic planning division, in Millennium House, Belfast. Provided that all the i's were dotted and t's crossed, they promised that they would turn applications around within six months. I have had several such applications in south Down. For instance, Down High School, the new school in Downpatrick, was turned around in even less time than that. So, I am intrigued why that application, which is clearly important to the people of County Tyrone, was not referred to that division and turned around far more quickly.

**Mr Boylan:** I thank the Member for his intervention. Obviously, the Minister will have to answer that for you. I went to visit the place, and it is an application on what I would class as a brownfield site. I do not know why it has not been approved. The Minister may argue that it is an old sand quarry. I think that it would be good use of an old place and should be considered a brownfield site. Yet here we are sitting two years and four months or two years and six months after the application was made.

So, we are still dealing with that sort of issue in the Planning Service, and obviously the Minister will respond

in relation to that. I cannot understand it. Why would you turn that application down? Why has that process not moved forward? The Member mentioned moving it to the strategic planning division. Only the Minister can answer in relation to that.

*(Mr Speaker in the Chair)*

**Mrs D Kelly:** I am grateful to the Member for giving way. He spoke about how OFMDFM will make decisions, and probably quicker than any other Minister or Department. Yet we are into the third year of the social investment fund and the money has not been spent. That fund was set up to tackle deprivation and to support our young people, yet Mr Boylan would try to promote OFMDFM. Mind you, some staff in OFMDFM now refer to working in North Korea. Is that the sort of Government that Mr Boylan wishes to promote for the people of the North?

**Mr Boylan:** I thank the Member for her intervention. We will go back to discussing the Planning Bill. If any other Department wants to bring any other legislation, you can debate it another day, but we will talk about this issue.

As I said, it is about creating jobs and attracting investment. Minister, the amendment gives you an opportunity to work with OFMDFM to zone certain areas and encourage and attract investment.

The Minister can clarify the point in terms of area plans, draft area plans and what is available. I go back to the point that I made at the start: our young people are leaving. We are educating people, and they are going out of the country to America and Australia. We are not doing enough, and we need to look at some process.

This is only a process, by the way, for the Minister to get involved in to try to bring forward zones to attract investment of economic significance and to try to promote jobs.

I will leave it at that. Go raibh míle maith agat.

**Ms Lo (The Chairperson of the Committee for the Environment):** I rise on behalf of the Committee for the Environment.

**Some Members:** Hurrah.

**Ms Lo:** However, I can offer no comment from the Committee on the substance of amendment No 20 because we have not had the opportunity to come to a position on it.

**Some Members:** Shame.

**Ms Lo:** The first that we knew of the amendment was at the end of last week. Therefore, not only does the Committee not have a position on it, we do not even know the Department's position on it. It is disappointing, particularly given the significance of the amendment, that the Assembly has to consider it today without the benefit of its having been scrutinised by the Committee.

If I may, Mr Speaker, I will now speak on amendment No 20 in a personal capacity. To say that I was shocked when I saw the amendment would be an understatement. To submit such a substantial amendment, with such far-reaching consequences, right at the deadline for submission is, in my opinion, unacceptable, even though, procedurally, as Peter may jump up and tell me, Members have the right to do so.

**Mr Wells:** On a point of order, Mr Speaker.

**Ms Lo:** I am sorry: as Mr Weir would tell me. Peter and I are on first-name terms all of the time.

At Committee, I worked closely with my colleagues, including Mr Weir and Mr Boylan. They were aware of the likely amendments that I would seek. To not extend similar courtesy to Committee colleagues shows that this is Sinn Féin and the DUP riding roughshod over the Assembly and, indeed, the environment sector, which has not been consulted on this at all and is deeply unhappy with it.

**Mr Weir:** I thank the Member for giving way. She talks about giving prior notice. However, there was no notification to the Committee of the amendments on the world heritage site and shared space. As I have indicated previously, I have absolutely no problem with that; it is the role of MLAs to put forward amendments in connection with those matters. As I indicated, although I can see where those Members are coming from, there was no prior notification of their amendments. I perfectly accept the Member's right to put forward whatever amendments she wants. However, with respect to her, she should not then be critical of others putting forward amendments when she has been guilty of exactly the same offence.

**Ms Lo:** I thank the Member for his comment, but if he had read all the written submissions, he would have seen the suggestions from the CRC and the National Trust.

**Mrs D Kelly:** Will the Member give way?

**Ms Lo:** Yes.

**Mrs D Kelly:** I am sure that the Member will agree that there is quite a fundamental change and difference between this amendment and the amendments to clauses 2 and 6, which other Members tabled last week, and which Sinn Féin opposed at Committee and of which it now supports some, but not all, this afternoon. We are a bit confused about Sinn Féin. I note that Mr Boylan has only one representative with him. Perhaps, Sinn Féin will not support OFMDFM's clauses. I live in hope that they might catch themselves on, rather than be led by the nose through the lobbies with the DUP on the matter. The clauses that are now being debated in the second group of amendments are fundamentally different. They deal with the creation of a third planning authority. Clauses 2 and 6 pale into insignificance.

**Ms Lo:** Absolutely. I could not agree more with the Member.

**Mr B McCrea:** Well said.

**Ms Lo:** Absolutely: yes.

Those Members know that they have the numbers behind them, thanks to Whips, to pass the amendment irrespective of the consequences or strength of feeling against it. We have seen a huge campaign being mounted against clauses 2 and 6. My office received massive amounts of correspondence on that. I am sure that others did, too. I cannot imagine the amount that we would have received had the amendment been on the table from the outset. I am sure that it is obvious from my comments that the Alliance Party will oppose this DUP/Sinn Féin power grab — it is a power grab. If we allow OFMDFM to have power over planning decisions, where will it stop?

**Mr McCarthy:** I am grateful to the Member for giving way. Given the track record of OFMDFM on many other things, does the Member agree that if this were to go ahead, the

Planning Service would be plunged into further despair, with more waiting, etc, and that it would be of no benefit to people who want to make progress?

**Ms Lo:** Absolutely. It would be counterproductive to aim of the Bill, which is for people to benefit from a more streamlined and speedier planning system. The next time we have a Bill from DRD, will OFMDFM steal the right to make road infrastructure decisions? Will it attempt to take control of prisons from DOJ? The amendment has the potential to set an incredibly dangerous precedent, and I urge all Members to think carefully about its potential effects before voting, despite what the Whips might say.

The amendment could give OFMDFM the green light to approve fracking in Fermanagh — a corner of this country that we were so proud to show off to world leaders just last week. At first glance, the amendment seems to give a very free hand with respect to development. There is a case for relaxing the criteria, but giving blank cheques is wrong. We could see a repeat of the desecration of Drumclay crannog, where a road was built through the 2,000-year-old site. Who knows what could happen at our only world heritage site, where we have already allowed a golf course development right on its boundaries?

If the amendment is made, I truly believe that nowhere in Northern Ireland is safe, especially if we cannot protect the examples that make Northern Ireland such a special destination to visit, such as the ones I just laid out. Indeed, Friends of the Earth said:

*“the new economic clauses 2 and 6 will result in planning chaos where nothing is special and nowhere is safe.”*

The overwhelming opinion of the sector is that this new clause is much, much worse than clauses 2 and 6. In fact, as Dolores said, clauses 2 and 6 pale into insignificance by comparison.

**Mr Weir:** Will the Member give way?

**Ms Lo:** Yes.

**Mr Weir:** We have been told that there has been absolutely no public consultation or opportunity to express views on this. How, then, can the sector express a view that this is a lot worse than clauses 2 and 6. Surely there is a contradiction there.

**Ms Lo:** I have been getting responses from the sector since Friday, and I met some of them this morning as well. A lot of them are in the Lobby and outside the Building today. I am sorry that you have not gone out to see them. Some of them have put tape across their mouth to show that they object to the amendment.

I believe that this amendment is not only undemocratic but hugely arrogant. For two parties to decide that one Department should hijack power from another and then get administrative support from the original Department truly left me lost for words.

**Mr Weir:** Obviously not.

**Ms Lo:** I shall continue. I want to firmly place on the record that my party's opposition to the amendment is not opposition to the concept of enterprise zones. Opposing the amendment will not and does not have to block the introduction of enterprise zones. Alliance is supportive of such zones and further acknowledges that there needs to

be a co-ordinated and strategic approach to identifying the zones, including special planning zones. However, this is not the process that should be gone through to do this. In fact, I am incredibly surprised at Sinn Féin supporting the amendment. Only very recently, it strongly opposed the last-minute introduction of an amendment to the Justice Bill on the basis that it was an abuse of process. Here it is now doing that exact thing. Mr Speaker, the Alliance Party will be firmly opposing the amendment.

**7.00 pm**

**Mr Hamilton:** I am in favour of the amendment to create economically significant planning zones. Before I get into the reasons why, I want to address some of the reasons that have been put forward as to why the amendment should not pass this evening and should be opposed. I reiterate the point that Mr Weir made in response to the Chair of the Environment Committee in respect of the complaints that there have been about the process. It seems wrong and hypocritical for some to even argue that the amendment has not gone through some sort of due process. By the way, we are democratically elected by the people of Northern Ireland. That is our job; we are here to do that. We are, therefore, exercising that right by doing this. I defend the right of anybody to bring forward an amendment at Consideration Stage or Further Consideration Stage of this Bill, or indeed Consideration or Further Consideration Stage of any Bill. That is our right. That is what we are here for. That is the process of the House; we have the right to do that. The complaint that some sort of process has not been properly applied in this case is inaccurate. We would not be debating the amendment this evening if it was inaccurate or wrong. To do that at the same time as putting forward amendments themselves — unfortunately the Chair seems to have departed as I am addressing her remarks — the Alliance Party, the Green Party and the Ulster Unionist Party have put forward amendments that were not brought forward explicitly for a yea or nay vote in Committee. Aspects and concepts may have been discussed, but no amendment was put forward. No notice was put forward to any Member of the House until the amendments appeared on the Marshalled List. So, I believe that it is wrong for someone to argue that, on the one hand, this is wrong and the process has not been properly followed in this case, yet, on the other hand, do themselves what they accuse others of. It seems to be that if it suits them, it is okay and fine, but if it does not suit them, it is wrong, it is a travesty and it is a problem of process.

I am sick of the criticism that is levelled at the DUP and Sinn Féin, the two biggest parties in the Executive. We hear the criticism, time and time again — Mrs Kelly is very good at it, as are others, including Mr McCrea, who was here earlier — that OFMDFM and the two biggest parties never do anything, never take any decisions and never get anything done. Here is an example of a decision being taken that will, I believe, have a significantly beneficial impact on the economy in Northern Ireland. At a time when we desperately need decisions to be taken that have a significant, important and beneficial impact on the economy in Northern Ireland, at a time when jobs are scarce and we are fighting a global battle to get jobs to come to Northern Ireland, this is another arrow in the economic quiver of Northern Ireland that will

attract investment to Northern Ireland. Instead of losing investments, as is sometimes the case, I think that we can use this as an opportunity. Look at our neighbouring jurisdiction in the Irish Republic. It is not just corporation tax that they use to attract people in. They have the opportunity of quicker planning approvals, and have used that down through the years. So, on the one hand, they are using their lower tax regime to attract people and get their interest in the first instance, and, on the other hand, they are offering quick planning approvals in pre-designated areas. That is something that we should be doing. Those are the sorts of examples that I appreciate and am prepared to learn from on a North/South basis. That is the tenor of the amendment —

**Mr Allister:** Will the Member give way?

**Mr Hamilton:** I will give way.

**Mr Allister:** If I follow the Member's argument, he is saying that the introduction of economic zones can speed up the process, with certain presumptions about planning permission, etc. That might be so. However, if one were persuaded that there should be these economic planning zones, how does it follow that they should be run by OFMDFM and not by DOE?

Where is the necessity to extract it from the proper planning Department to put it into the dysfunctional office of OFMDFM? Where is the logic, other than the desire to engage in a power grab?

**Mr Hamilton:** I was going to come to that point later, but I will come to it now, given that the Member has raised it. Although this is not an enterprise zone, it is not dissimilar in some of its characteristics to an enterprise zone. It is my understanding that most parties here have at least been, if not fully supportive of that, supportive of the concept and of exploring the possibility of enterprise zones for Northern Ireland. I know that Mr Durkan, the MP for Foyle, has called for one in the north-west. The Alliance Party supported that in its submission to the independent review of economic policy in Northern Ireland a few years ago, and I believe that Mr Nesbitt's party has, at times, explored the possibility of doing it. The fact that we will now explore enterprise zones for Northern Ireland was included in the economic pack announced just over a week ago by the Prime Minister, the First Minister and the deputy First Minister.

Although this is not an enterprise zone, one of the key characteristics of such zones, as the Member will know, is relaxed or different planning regimes within them. A zone, by its very definition, is a line that is marked on a map and inside that, in the English, Welsh and Scottish examples, there is a different, more relaxed, quicker planning regime than would prevail outside of the lines. There are similarities between what is being proposed here and what is being proposed as an enterprise zone, which is something that I think we should actively explore for Northern Ireland.

I have not answered the Member's question yet, but it should go to OFMDFM and not to the Department of the Environment because of the clear cross-cutting nature of something significantly large and economic such as an enterprise zone. If you are bringing in something that has an element of planning, rates, telecommunications and tax powers, which we are yet to have devolved in respect of capital allowances, you cannot have the Environment

Minister alone acting to draw that line. It is a cross-cutting issue. It mirrors very clearly the key priority within the Programme for Government, which is growing our economy. That priority is in the ownership of the First and deputy First Ministers on behalf of the whole Executive. That is why I think it is appropriate that it be there, that they take that decision and work alongside the Minister of the Environment and his officials to ensure that what goes into it meets with whatever restrictions are placed within the economically significant planning zone.

I have also heard criticisms that this is somehow revolutionary and that we have never had this sort of thing in Northern Ireland before. If Members would care to take a look at the wording of what is before them today and compare it to wording that they passed and improved in the 2011 Planning Act in respect of simplified planning zones, they will see that there is a great similarity between the wording of section 33 (3) in the 2011 Act about simplified planning zones and what is contained at the suggested new article 13A (3) in the amendment.

**Mr Wells:** As the Member knows, this amendment has been a very recent addition. Many Members who have received a lot of correspondence about clauses 2 and 6 have only had one or two comments made about this particular significant development, but one comment that I received asked why simplified planning zones have not been used. We recall that these were passed in the 2011 Act; they seem to provide a very flexible process to enable quick decisions.

Secondly, could the Member answer the point I raised with Mr Boylan: why have we not been using the strategic planning unit model, which I have used? He will be aware of the Down High School situation, where, by referring it to that strategic unit — that is a hard word to say at this time of the night — and getting all of the authorities around the table at Millennium House, we were able to get a very quick decision on what was a very significant planning application for south Down. Of course, for reasons he is aware of, there were delays, but that was not because of planning. I have also had some experience of referring cases in Kilkeel to that unit. We have had two models that would seem to deal with some of the issues that he has raised, neither of which seem to have been particularly effective in his opinion.

**Mr Hamilton:** I thank the Member for his intervention. I would divorce the two slightly. I do not know why there have been no simplified planning zones; I am not the Minister of the Environment. That question is probably better directed at the Minister. I agree with the Member that it is a device that would potentially have been very useful. It would have done some of this work, but it has not been used. The Member will know that that power will transfer to local government after RPA and the reorganisation of local government. However, what is proposed in the amendment is a power that regional government will retain.

I think that strategic projects are somewhat different. I will rely on the Minister, but perhaps more so his officials to give him some figures that he might use at a later stage of the debate, but I understand that the experience to date has been very good. Another project, which the Member will be aware of, that went through in rapid time was the new Downe Hospital site. Quite a lot of public sector projects have gone through in under or around six months. That is a significant improvement on what had previously



been the case, and I very much welcome that. I remember welcoming that in the House way back about five or six years ago in the first Programme for Government that we produced as a new Assembly. So, that issue is talking about time as opposed to zoning a particular area. However, the Member made good points. I do not know why simplified planning zones have not been put in place. That is an issue for the Minister. Perhaps we will see more of them when local government gets control of planning. I would welcome their use in certain cases.

The point has been made that this is some sort of revolutionary step that is being taken. I will make the point again that, in 2011, the House approved something called a simplified planning zone. That was not radically different in its complexion, nature and construction from the economically significant planning zones that are before us. If Members look at the clauses in that legislation on those zones, they will see that they are almost word for word the same. This is not something completely new, revolutionary and out of this world. Only two years ago, the House approved almost entirely the same thing.

**Mr Allister:** Will the Member give way?

**Mr Hamilton:** Yes.

**Mr Allister:** Forgive my ignorance; I was not in the House when that legislation went through. He said that there is a parallel. Did simplified planning give those functions to OFMDFM?

**Mr Hamilton:** No, it did not. Like any good barrister, the Member knows the answer to the question before it is asked. It did not. In the future, as I said to Mr Wells, that power will transfer to local government and will not be retained by regional government. That is the key distinction. Ms Lo made the argument that this is something completely outrageous, new and different and that we have never seen it before. I accept the Member's point, and that is a key distinction. However, it is not radically different in complexion from what was approved through simplified planning zones two years ago.

There have been a lot of criticisms of this amendment. I think that a lot of scaremongering has gone on about what its effect will be — we are going to have some sort of planning free-for-all across Northern Ireland, as though entire counties, several counties or council areas will be zoned and anything and everything can happen in them. I do not think that this device will be used in a great number of cases. I do not think that it will be used half as much, or even one tenth as much, as people seem to suggest. However, of course, it suits some people's arguments to scare the lives out of people and to say that, all of a sudden, you will wake up in the morning and everywhere in the countryside will be concreted and there will be fracking platforms all over County Fermanagh and so forth.

As I said when I was talking about clauses 2 and 6, we are fighting hard around the world to try to get investment into Northern Ireland. I have not heard anybody disagree with the thesis that our planning system is not as good as it should be in dealing with major economic planning applications. We have so many advantages as a country — great people, great skills, great infrastructure and great telecommunications — but we do not have a great planning system. Here is something that we can hang on the door of Northern Ireland. We can say to people that not only are we open for business but we can afford them

the opportunity to get planning for the investment that they want to make. That is an investment that, in a very fluid global market, they could quite easily take to the Republic of Ireland, Scotland, Wales or the Far East, but this will allow us to say to them that they should bring it to Northern Ireland and that we, as a Government, will do things to help them get there as quickly as they can so that we create the jobs that bolster our communities and give people opportunities. It will mean that folk who have, as Mr Boylan said, been educated and trained in our excellent education system in Northern Ireland do not have to leave Northern Ireland to get the sorts of opportunities that we want to see them get.

#### 7.15 pm

The amendment is not revolutionary, and it will not lead to some sort of planning free-for-all. It is not only competent and in order but will potentially be of great benefit to Northern Ireland and our economy.

**Mr Wells:** Will the Member give way?

**Mr Hamilton:** The Member has been here long enough. He knows that I was building to a crescendo. I was trying to finish off. I will give way to him because he is my friend.

**Mr Wells:** There would not have been much sense in me asking you to give way if you had built to a crescendo and taken the standing ovation. I could not then have intervened.

The Member reassured the House about the nature of the projects that would be involved. Some of the comments that I have received ask what there would be to stop OFMDFM designating Fermanagh as a strategic planning zone to facilitate fracking.

There is no question about it: the one thing that everyone is agreed on is that fracking could be of the most enormous economic benefit to Northern Ireland. Regardless of where you stand on the environmental issues, there is no doubt that a source of cheap, reliable, non-imported fuel would have huge benefits for Northern Ireland. It may be that a large company will say that it could develop most of Fermanagh for fracking. Is the Member reassuring us that that could not happen?

Will he give some indication of the size of the projects that we are talking about here? Are we talking about 50-acre sites or 100-acre sites? Are we talking about shopping centre complexes or Belfast harbour? I am just intrigued as to what would constitute one of these special zones.

**Mr Hamilton:** I thank the Member. He is going to delay us even further now, as I am going to have to respond to all those points.

I suppose that I do not know. I do not know precisely what will happen, and that is where assessments will have to be made of each case or each particular area that the Department would consider.

The Member mentioned the size, scale and acreage of land, and I think that you could conceivably have very small zones and quite large zones. However, I would be extremely surprised if any single county or council area were zoned in totality as an economically significant planning zone.

On the particular issue of fracking, even if a line were drawn around an entire county with that particular consideration, other aspects would have to go through, not least the various licences that would have to be granted by the Minister's Department and that of the Minister of Enterprise, Trade and Investment. Fracking will not happen in the morning just by drawing a line around County Fermanagh. There are other stages that would have to be gone through, which I think would be fairly significant and high hurdles.

I passed the Member a report earlier that I noticed over the weekend in 'The Economist'. It discussed the oil and gas boom in North America. I do not know whether he has had the chance to read it yet, but it makes —

**Mr Eastwood:** Will the Member give way?

**Mr Hamilton:** Yes, I will.

**Mr Eastwood:** Would those licences that you talked about be seen as cross-cutting and need to go to OFMDFM for a decision?

**Mr Hamilton:** I do not think that there are any plans to make it so —

**Mrs D Kelly:** There is still time.

**Mr Hamilton:** It is still early yet. There is still Further Consideration Stage to go. No, I am only joking. That would not be competent.

The Member is inviting me to rehearse issues and delay the House even further. The reasons that OFMDFM would take a role in this is because of the cross-cutting nature of economically significant planning applications for our number one priority, which, I hope we all agree, is growing, rebalancing and rebuilding our economy.

As I said, I think that what we have here is something that has the potential to give us an advantage in an area in which we have heretofore not had an advantage when we have been selling Northern Ireland: planning. When you look at the likes of the strategic projects unit that the Member for South Down talked about, and other reforms and changes that the Minister is bringing forward, I think that this is a useful tool to have in our toolbox as we go out into the world and try to attract investment to Northern Ireland. I think that, in a quieter moment, the Minister would perhaps admit that this is not a bad thing to do. I suspect that he is not in favour of the methodology; in fact, I know that to be so by his comments. However, I think that he and most of us would agree with the ability to act swiftly and promptly, to win investment instead of losing it, by marking out a zone on a map and saying, "There is a more relaxed planning regime here, in certain circumstances, than there would be outside of that line", taking into account the sensitivities of the environment of that area. I think that that is a good thing that most people would agree with.

So, I support the amendment because it is not revolutionary, will not result in some sort of free-for-all, and because it is proper to do so.

**Mr Allister:** Will the Member give way?

**Mr Hamilton:** Nop; I am going to finish. I cannot have three build-ups to a finish. This is not revolutionary. This is not a free-for-all. It is completely competent. It is the proper way to do it, and it is consistent with the way that

other people have brought this forward. I urge the House to support it.

**Mrs D Kelly:** It is timely that Mr Hamilton should finish on the issue of revolution, because, in preparing for the debate, I looked at some of Sinn Féin's policies. One policy that seems to transcend the border is its cynical manipulation of the Irish people. Only yesterday, at the Wolfe Tone commemoration in Bodinstown, Pearse Doherty quoted Wolfe Tone when he said:

*"If the men of property will not support us, they must fall. Our strength shall come from that great and respectable class — the men of no property."*

Then, Mr —

**Mr Speaker:** Order. I have given the Member some latitude. I am interested to see how she may weave what she is saying into being about the Planning Bill. I think that doing that will take a wee bit of expertise, but I am happy enough to listen to the Member.

**Mrs D Kelly:** It is coming right now, Mr Speaker; because Mr Doherty then went on to say:

*"Today's 'men of property' — the bankers and the speculators and their friends in high places — have brought huge hardship to Irish families."*

He went on to talk about people losing their jobs; the very points that Mr Boylan made as he introduced the amendment containing this clause. Mr Doherty said:

*"Bondholders, bank executives and financiers still live affluent lifestyles, receiving huge salaries and bonuses",*

and he said that others who have had "no hand" — I paraphrase — "in the financial catastrophe" — hardworking families — pay for their greed.

Yet, we have the Bill this evening. I looked at Sinn Féin's economic policy on its website, and there is no mention there of planning as a tool to promote the economy. No mention whatsoever. However, in its introduction to its economic policy for the island of Ireland, Sinn Féin lays much of the blame for the South's woes, in particular, on corrupt government, "greedy developers" and speculators. That is the context of Sinn Féin's economic policy. This evening, its members are promoting a planning clause that is half-baked and came at the eleventh hour, as Ms Anna Lo said.

The DUP and Sinn Féin came up with this proposal for economically significant planning zones where, if a developer meets certain criteria in a designated area, there will be a presumption of planning consent. Although the DUP and Sinn Féin have been working on this for weeks if not months, including actively consulting with the Executive's principal legal adviser, the Attorney General, they have not seen fit to share their proposals with DOE or other government colleagues until the last moment. Why is that?

As a result, the proposal is half-baked and, according to advice from senior counsel, not competent. Had they worked with the Environment Minister, he might not have agreed with them but they would at least have had a competent amendment. So, why did they not involve the Department responsible for planning? Why did they

table this significant amendment only minutes before the deadline for submission? It is yet another indication of how this DUP/Sinn Féin junta does business. After all the soft words on a shared future, and after Cameron, Obama and the G8, we get back to the reality of how OFMDFM does its business. Despite the honeyed words, they do not want a collegiate approach. This amendment proves that they do not want to work in partnership. They not only want to have their way without any consultation with others, they want to grab legal powers from DOE and take them into OFMDFM. As others have said, yet another power grab, hot on the heels of trying to take over the Belfast metropolitan area plan, and it is all contrary to the Good Friday Agreement.

They even hide behind a couple of Back-Benchers, when we know that this comes from Peter Robinson and Martin McGuinness. Why is the amendment so urgent now? During this phase of devolution, we have had three DUP planning Ministers before the current Minister. Why did they not do it when they ran the DOE? They had plenty of time to do it properly, consult, take advice, get the legal requirements right etc, but now they want to rush it through with unseemly haste.

**Mr Wells:** Will the Member give way?

**Mrs D Kelly:** I will.

**Mr Wells:** The difficulty I have with some of the Member's argument is that the Minister had the powers of simplified planning zones, which could have dealt with some of the issues that have been raised, yet they were not used. When the Minister comes to speak, he has to explain to the House why, when there was a tool that could have sped up economic development in Northern Ireland, which was approved by the Assembly and controlled by his Department, he did not use it. Secondly, I would be grateful if he would say why, given the fact that so much effort was put into creating the strategic planning unit, there were still great difficulties in delivering important economic cases. I am not saying what I particularly feel about it, but there are certainly questions that the Department has to answer.

**Mrs D Kelly:** I do not think that any of us will stand over all the planning decisions that the Department will make. As Mr Wells knows, there are a number of legal objections to some strategic planning that have to go through due process. This amendment and the clauses being proposed this evening will not allow for due process in relation to any of these economically advantaged planning zones. I am sure that the Minister will answer more fully, but Mr Wells said that in representing his own constituents he required the strategic planning unit to invoke those powers, so it is not just open to the Minister but to other elected representatives to invoke and ask others to invoke the powers available to them.

Sinn Féin and the DUP do not seem to recognise that the turnaround of strategic planning applications has improved vastly under the current Minister. Do they not realise that he has made great headway on clearing the backlog of major planning cases that had accumulated under the last three DUP Ministers? Do they not recognise that there has been a record-breaking planning performance on major economic projects? The six-month turnaround target is being met, and there are cases of exceptional performance: the Windsor Park stadium proposal was

turned around in 11 weeks. So, the argument that the amendment is needed to facilitate inward investment is nonsense. The present system is capable of delivering rapid turnaround for major inward investment.

So, why has the DUP, after doing no planning reform for years, decided to seek radical change over the past few years? I think that this question has to be asked: who is really behind the amendment, or what is the DUP and Sinn Féin's motivation for it? It is quite clear that the DUP is driving the amendment. Most likely, Sinn Féin has been bought off by the promise of a designated zone in some Sinn Féin constituency. Perhaps Mr Boylan or another Sinn Féin Member would like to reveal where they intend to designate the zones. Is the real reason behind this to remove, at one fell swoop, all opposition to DUP plans for fracking? The current planning Minister has taken a strongly precautionary approach on fracking. Is the amendment a device to get around Alex Attwood's opposition?

As we speak, Westminster is debating the Northern Ireland Bill, which, among other things, will deny any real progress on transparency around political donations. We should never pass a DUP-inspired measure such as this until such times as there is transparency about political donations. The amendment stinks to the heavens. It is a DUP-led amendment, and Sinn Féin is being led by the nose. That is why it has flip-flopped on many of the other amendments on the Order Paper today. They are trying to take the bad look off their support for the DUP development free-for-all, but they will have to answer for their deeds. Phil Flanagan will have to explain why the fracking he claims to oppose could be easily facilitated by OFMDFM if the amendment passes. Cathal Boylan, who is leading the proposal for Sinn Féin, will have to explain why interconnectors, power lines and even power stations could run through the heart of Armagh if this is passed. Peter Robinson's supporters in East Belfast will have to ask him why the City Airport has been given a longer runway to land more, bigger and noisier planes booming across the suburbs of Belfast.

There is already a reasonable balance in planning between facilitating economic development and protecting the environment. This proposal, done on the back of an envelope to please God knows who, destroys that value. It is a power grab by OFMDFM, and it affords a ridiculous amount of discretion to politicians who persistently refuse to come clean about the developers who fill their party coffers.

**7.30 pm**

**Mr Kinahan:** I welcome the Bill and anything that makes planning more speedy, improves the economy and betters the environment, but I, like many others, was shocked and horrified when I saw the amendment. The Ulster Unionist Party does not support amendment No 20.

It is over a year since I left the Committee for the Environment. Then, we had just hurried through a Bill with 242 clauses. We needed to get it through so that we could have a better planning system. If I remember correctly, it required 16 other bits of legislation. Why on earth have we got to this point today, when all those DUP Ministers and others in the past could have improved things themselves? Like Mrs Kelly, I question the motives behind the amendment. If we look back to the beginning of this Assembly mandate, why on earth did the DUP not take

this Ministry? It says that it can now change the system because the election system allows it to, but the DUP would have been allowed to take the Ministry had it chosen to at the beginning.

Look at what the DUP has allowed to happen to education, where one Minister is running the system to the point of almost cataclysmic destruction. We can see what is happening, but the DUP does not challenge it. Here, we have a Minister who is especially good at defending the environment, but they are trying to take his powers away.

Let us look back at the whole basis for the institution in this Building. It was meant to work through consensus, but, today, we see the opposite. We see a way of taking power away and not working together, yet all we ever hear from the Executive and others is that there is no agreement and that nothing is happening. OFMDFM is completely the wrong Department to give this sort of power to. In my two brief periods on the OFMDFM Committee, the Department would not provide information or documentation, and we never had anything to scrutinise. It was quite the worst of all Departments for a Committee to work with. Therefore, we cannot, surely, consider giving it the extra powers that are being proposed today.

Let us look at the two parties that are in OFMDFM. One has traditionally shown that it is not for the environment and the other has, from time to time, shown that it has no idea how to run an economy, the two absolute keys to what we are doing today. There has to be more behind this; there has to be more hiding.

Over the past few months, we have seen what is now known as the “So what?” style of government, where the rest of us do not matter and other Ministers are not spoken to or listened to. Today, as we have heard from the Chair of the Committee, the amendment has not even been run by the Committee, yet it sounds as if it has been worked on over the past two months with the Attorney General and others. Now, we are all being steamrolled. It stinks.

When I came into politics here, I heard stories of control freakery. I was amused and did not really believe that it happened, but we now see it almost daily. Someone said to me the other day that it is not just control freakery; it is not power sharing but — we have heard this before — power snaring. It is all designed to get more power to the two major parties. No wonder the rest of us are cynical.

If the two main parties can create these zones, they can do anything they like with them. They can put them nicely in place before the next election to make sure that they get more votes. Lots of money is sitting unused in the strategic investment fund, and they can do the same with that. If we put those two things together, we have not just control freakery but the buying of votes on the grandest scale. We have to put that in front of the electorate and show them how badly things are going.

When I was involved in the Bill, I was pleased to see that it would give powers to councils and was going to talk to the community. When I asked the then Minister what he meant by “community”, he said those who live there, those who work there and those who pass through. By the end, it meant everybody was going to be included in the planning system. Today, we seem to be going in a different direction: the only people who will be included will be OFMDFM.

Looking at amendment No 20 in more detail and all the powers that are in it is rather like looking at the Education Bill. Within it is a mass of little powers that can be passed onwards, such as the power to make orders and the power to decide how long the period can be. We have just heard that the areas could be any size, so the powers could take over any place, any type and anything. That is what we have to warn the public against.

**Mr Boylan:** I thank the Member for giving way. He mentioned the public and the community. Is he not aware that the community is crying out for employment and jobs? That is one point that I want to make, because that is what is happening in my constituency. The other point I want to make is this: does he recognise that the current area plans are not fit for purpose and are not there to help attract, develop and create jobs?

**Mr Kinahan:** We all want to see jobs created by everything, but we want to see jobs created fairly, and we want to see a system used that everyone can be part of. That is democracy.

**Mrs D Kelly:** I thank the Member for giving way. This is nonsense: Mr Boylan is just trying to cloud the issue. The fact is that there are already a huge number of empty commercial premises, industrial sites and retail town centres. If there is an opportunity for economic development, is he saying that OFMDFM has failed, alongside DETI, to bring in foreign direct investment? Is he criticising their failure to create jobs and the rising level of unemployment?

**Mr Kinahan:** Thank you. I agree very much with that. The failure that we are seeing is the failure in how this Assembly works: it is not joined-up government. Instead of going for joined-up government and trying to work together, they are trying to take all the powers to the centre and leave everyone out. That is absolutely blatant in what we are seeing today.

Moving on to enterprise zones, I will read out what the First Minister said last June:

*“I have some concerns about the issue of enterprise zone status. If the whole of Northern Ireland was being considered as an enterprise zone, I would be very much in favour of it. One difficulty that I have found with previous enterprise zone exercises is that they are often the cause of displacement. You are not really adding jobs to our economy. You can boost an individual area but very often at the expense of adjoining areas because companies move into the enterprise zone. We have considered the issue, and if, in the wider context, it was thought suitable for the whole of Northern Ireland, we would welcome that. However, I retain the concerns that we may not bring in new jobs but simply move the jobs from one area to another.” — [Official Report, Vol 86, No 1, p27, col 1].*

I would love to know what has changed since he made that comment. What they are trying to start today is exactly the same thing. How will they deal with the displacement as we move things around Northern Ireland instead of creating the jobs that have been spoken about?

I have spoken for long enough. The Ulster Unionists oppose the amendment. We see it as OFMDFM wanting control of planning, avoiding the democratic process and trying to take more control: as I said, power snaring.

**Lord Morrow:** It is difficult to know where to start in this debate. Listening to some of the Members who have spoken, you would think that war had been declared today and the Department of the Environment was going to be stood down and was no longer going to exist. One Member was quick to point out that Sinn Féin is being led by the nose by the DUP and has succumbed to the great devious plans of the DUP. Other Members think that it is the DUP. I have no doubt that, when they speak, it will be the DUP's turn to get it and they will say that Sinn Féin is leading the DUP by the nose. On and on it goes, but, of course, none of it is true. I listened to Mr Kinahan and thought that Corporal Jones would have a field day in here. He would be crying out that we are all doomed. The world is probably going to end tomorrow. There will be no more planning or anything else. We will all wake up some morning and Northern Ireland will just be one big area of concrete, probably painted green, according to some. Of course, that will not happen.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

One of the significant criticisms of planning in Northern Ireland is the time that it takes to turn around economically significant planning applications. My comments are not directed at the present Minister, although he is not completely free of any criticism. Much of it is not attributable to him, despite his comings and goings on the the John Lewis planning application and the fact that we still do not know where we are on that one. I suspect that, in years to come, a decision on that planning application will eventually be arrived at.

Northern Ireland has a reputation, rightly or wrongly — I think it is right in this particular instance — as one of the slowest areas in which to obtain planning permission, notwithstanding the fact that the Minister has recently taken some important decisions and put a degree of speed and urgency into some of these issues. Some might say that it is a little too late. The criticism may be unfair, but, despite the recent progress, the perception remains. Therefore, it is important that the Executive send out a signal that we are in a position to grant planning permission quickly for economically significant applications and use that as a tool to attract investment as opposed to deterring it, as at present. The purpose of the amendment is to provide an alternative approach that could lead to a much faster planning process.

I would also like to make a few points in relation to the clause. In many respects, this provision is similar to simplified planning zones — the point has already been made, but it is worth making again — which are already provided for in statute but, to the best of my knowledge, have never been used. That begs the question “Why?”. There should be no issue about the effectiveness of the provision.

OFMDFM will have a key role in such applications, given the significance of economic growth to the Programme for Government and its statutory role in relation to cross-cutting issues. However, there remains a key role for the Department of the Environment. Responsibility for carrying out the day-to-day work will remain with Department of the Environment planning officials who have the relevant expertise. That is way it is, and that is the way it will remain. In addition, schemes will require the consent of DOE or the affirmative resolution of the Assembly. That

will increase the democratic legitimacy of such decisions, which Mr Kinahan said was going the opposite way. Post the 2011 Planning Act coming into force, that will provide a role for the regional Administration to create zones. The 2011 Act merely envisaged a role for local government.

This provision provides a further option to help speed up the planning process. If it proves unnecessary, nothing will be lost by having it on the statute book. Conversely, if we do not create it, the option will not be open to us. This provision is not intended to create enterprise zones but to provide a faster process for obtaining planning permission through zones drawn for the purpose of attracting investment. Furthermore, it will be an important selling point internationally and will allow local companies to react more quickly to emerging opportunities. When the Executive published their Programme for Government, they put the economy at the centre of all their thinking. I could be wrong, but I do not recall a single MLA, never mind a party, getting up in the House and saying that that was the wrong way to go. That can only be complemented with a Planning Bill that is fit for purpose, so I ask Members to stop and think about that.

#### 7.45 pm

I am long enough about local government to recall that, in 1973, we had what was known as the old east Tyrone area plan. It covered the time from 1973 to 1993, which was a long period. Alas, we did not get a new area plan until, I think, about 2003, so that plan was 30 years in existence. Does anybody but anybody think for a solitary second that that was good forward planning and the type of planning that we need? I can speak with some authority, because, in our borough council, our planning strategy is out of date again. We have been told, “We will not bother with it now, given that local government is about to be reformed. We will just let it sit there, and we will work on the old one”. We are always working behind the times, and we do not seem to have an up-to-date plan. Those things need to be taken into account.

I know that we are talking about zoned areas, and Mr Hamilton outlined graphically what is envisaged for such areas. I say to the MLAs who are trying to whip up a bit of emotion and to push the panic buttons that they should stop and think of what we are trying to achieve for Northern Ireland. Everybody around the Chamber says, “Let us stimulate the economy”. Nobody is opposed to that, but let us put in place the infrastructure, mechanism and the necessary Planning Bill to complement that rather than having to wait and wait while those who might come here to invest move on elsewhere.

I will take the John Lewis example. John Lewis has made it clear that, if it is not at Sprucefield, it will consider going to Dublin. We have been told that umpteen times. The Minister will have an opportunity to correct this when he gets to his feet, and he undoubtedly will, but I suspect that his priority for a place such as that is to have it in the centre of Belfast or somewhere. However, John Lewis said that it will not go there. The Minister said, “You have to come here, and, if you do not, we will combat you in such a way that will make you ineffective wherever you are”. That does not sound like good planning. As I said to the Minister in Committee recently, we had a situation up in Londonderry that took the Department six years to make a move on. That was not the Minister's fault, and I have

said that. However, it is symptomatic of the thinking on planning, which is to say, "Let us take our time". Yes, let us do things right, but, if you do not get it right in six years, you will not get it right. Therefore, we have this situation.

I am glad that Anna Lo has found her voice again, and I must congratulate her on that. She said at one stage that she was lost for words. At one point, she was not prepared to speak as Chair of the Committee. Now she has found her words and her strength and is back speaking as Chair of the Committee. I laud her for that. It is good to see that she has got her courage back and is back on her feet. I look forward to seeing her again in the Chair on Thursday at the Committee. She said that she was amazed that Sinn Féin had gone for this. Let me say to the Committee Chair that I do not know what she has been doing over the past 40 years. Those of us who have watched Sinn Féin do the things that it has done are not a bit amazed at anything that it does. It will twist and turn and babble about in whatever direction the wind might take it.

Therefore, you need not be one bit surprised by what it will do. It cannot be, on the one hand, Sinn Féin leading the DUP by the nose and, on the other hand, be the other way around. Mr Kinahan said that this was the big power parties grabbing all the power and bringing it to themselves. Well, some of us, perhaps not him, are long enough in the Assembly to remember when two other parties — namely, the Ulster Unionists and the SDLP — were in power. We know very well how they treated the rest of us.

**Mr Wells:** Will the Member give way?

**Lord Morrow:** Yes.

**Mr Wells:** Does the Member remember standing outside Hillsborough Castle at 2.00 am with a group of other DUP MLAs, as we were totally excluded from yet another round of important constitutional talks, which were dominated by the SDLP and the Ulster Unionist Party? Basically, anyone who was not part of that cabal —

**Mr Deputy Speaker:** Order. It is nice to learn of the history, but can we come back to the Bill, please?

**Mr Wells:** Mr Deputy Speaker, I was simply referring to the point made by the Member. Does he recall those many nights?

**Lord Morrow:** Yes, I remember the nights and the days of isolation in here when we were treated like something that sticks to your shoe. I remember it very vividly, and I will never forget the memory.

**Mr B McCrea:** Will the Member give way?

**Lord Morrow:** Yes, I will. Come on ahead.

**Mr B McCrea:** Following up on that point, would the Member say that things have changed and that this is now an open, inclusive and tolerant Assembly, where everyone's opinion and voice is heard? Does he think that we have made progress since his party became the dominant party?

**Lord Morrow:** I suspect that it is a bit like beauty, in that it is the eye of beholder. Some of us do feel that things are much better than they were. I certainly am one of them, because at least I now have a voice, which I did not have before when I was not listened to.

There are those who are either putting it up or who are, as I suspect, trying to whip up emotion in the House that this an attempt to take away power from the Minister of the Environment. No, this is attempt to get our economy going and to put in place a Planning Act that will have some relevance to the modern-day world that we are all trying to live in and take this Northern Ireland that we all claim to love so much out of its economic depression and into something new.

Dolores Kelly said that she thinks that this is a whole revolution in planning. I see nothing revolutionary about it. I think that it is simple, straightforward common sense, and let us as an Assembly adopt the amendment. The Minister, when he reconsiders, will probably see the wisdom of it. I suspect that, when he is speaking, he might even say that he has, in fact, thought it over and will give it his full support.

Mr Deputy Speaker, I will stop there, for I suspect that there are others who want to say something.

**Mr Elliott:** Although Mr Boylan is not in his place, I say that, for once, I felt a sense of sorrow for him when he was proposing the amendment. It is not often that I have a sense of sorrow for Mr Boylan, particularly in the political field, but I had some sympathy with him because I got the distinct feeling and impression from him that he was very unenthusiastic about the amendment. He certainly did not seem to show much vigour for it. He did not seem even to be totally across the amendment or, indeed, know what it was about. Again, I suspect that he probably did not have much more notice of the amendment than the rest of the Members in the House who did not see it until it came on to the Marshalled List on Friday. Therefore, I suspect that he was almost speaking to it against his will, but obviously that is a choice that Mr Boylan made for himself, as others did, if that is how they were treated over this matter.

I believe that the amendment is a power grab. I listened to Lord Morrow and Mr Wells, and I recall Mr Wells standing and objecting to many things. Most of his objections were to things that Sinn Féin was about. He even went to Dublin to object to Sinn Féin and, indeed, Republic of Ireland interference. However, what we now see is a power grab by Mr Wells's party and Sinn Féin. I do not know, for the life of me, why you would want to put the level of power that is in this amendment into the control of the First Minister and deputy First Minister. We have witnessed how slow they have been to react and take decisions on many other issues. I chaired the Committee for the Office of the First Minister and deputy First Minister for a period, and we could not even get some correspondence from them. We could not even get updates from them, let alone decisions. How this will speed up the processing of significant planning applications, I have no idea. All that I foresee is much more procrastination, delays for applications that do not fit their bill and, obviously, the speeding up of applications that do.

That is why I have significant concern about why they want to take these powers or for us to give them those powers.

**Mr Eastwood:** Will Member give away?

**Mr Elliott:** I am happy to give way.

**Mr Eastwood:** Given the Member's expertise as a former Chairman of the Committee for the Office of the First Minister and deputy First Minister, is he confident that that

Committee sees lots of fast-flowing information from the Department? Do things get held up for year upon year, like the childcare strategy, the social investment fund (SIF) or all the other things that we have been waiting to come down the line from the Department? Is he confident, as a former Chair of that Committee, that that Department is capable of handling even more responsibility?

**Mr Elliott:** I thank the Member for that. As well as asking me, he should perhaps ask those who are looking forward to the childcare strategy. He should ask those people and groups who have made applications to the social investment fund how they feel that it is working. No, I do not believe or have confidence that we will have quicker or better decision-making. I believe that if you asked many of those organisations in our society that have had to deal with the Office of the First Minister and deputy First Minister, including many victims' groups, you would find that they would be extremely sceptical about the level of competence in that office.

I do not believe that passing this amendment would be good for the Assembly, the public of Northern Ireland or wider communities in society. A number of amendments have been tabled, many in extremely simple terms, as compared with this particular amendment, which is very detailed. Why were we not discussing this amendment in much more detail at an earlier stage? We should have had the opportunity to do so, particularly with such a comprehensive amendment. If the Attorney General has an opinion on this amendment, I would like to hear that before we take a decision on it. I am extremely disappointed at the mechanism that has been introduced and by the fact that those two parties feel the need to make such a power grab from the Planning Service and the Department of the Environment. It will not be valuable to wider society. I notice that they even have the audacity to indicate in the amendment that they want Department of the Environment staff to provide the administrative support for it, so that they do not have to do that. They want the Department to provide administrative support, but OFMDFM will take the decisions.

We should not approve this amendment, and I call on Members of the Assembly to draw back from it. No one can say that I am not a fair person in that respect. I have supported the economic parts of clauses 2 and 6, which, I believe, will be helpful to wider society; but I do not support this amendment.

**8.00 pm**

**Mr B McCrea:** I have a certain amount of amazement, which might be the right word; astonishment; just incredibility —

**A Member:** Incredibility?

**Mr B McCrea:** Thank you. When people say, "words leave me", it is not often —

**Mr Wells:** On a point of order, Mr Deputy Speaker. Is it in order for the honourable Member for Lagan Valley to use a word that is not known in the English language?

**Mr Deputy Speaker:** The Member has the Floor and the ability to use a word, provided that he provides some sort of translation so that Members can appreciate and understand it.

**Mr B McCrea:** I am grateful to the Members opposite for their assistance in this matter. Obviously, they have had

some time to consider the implications of this amendment. I have to say that I have never seen the like of it. It is spectacular in its ambition. It is just astonishing in its scale and scope. They are, at a single stroke, going to do away with the Department of the Environment.

Lord Morrow started his contribution with many points that I can agree with. I hope that I do not misquote him. If I do, he will, no doubt, correct me. He started by saying that you would think to hear people talking here that war has been declared. Yes, that is exactly what I think: war has been declared on this Assembly. He said that you would think that the DOE was to be stood down, never to be heard of again; that it would be gone and it would be lost. That is exactly what is going to happen: the Department will be no more. It will be redundant. It will be absolutely without purpose. *[Interruption.]* If Lord Morrow wishes to make an intervention, I will take it.

**Lord Morrow:** When the Member started, he said that, if he misquoted me, I would no doubt put him right. So, I propose to do that. There is no attempt, no plan, no proposal or no intention. Is there any part of that you do not understand? There is no intention whatsoever to do away with the Department of the Environment. The Minister is even relaxed about that; I can see it on his face.

**Mr B McCrea:** I can only take the Member's assurances on that. Having read the amendment — and I can base this only on what is in front of me — it seems to me to take huge powers away from the Department of the Environment. It seems to me to make the position of the Minister of the Environment absolutely and totally redundant. It is not necessary. It can take every single power it needs to and go and do things. I heard the Member extol the virtues of this amendment.

**Mr McGlone:** I thank the Member for giving way. As I listened to the debate and read some of the proposals contained in the amendment, I thought that it is not even that they are stripping the Department of powers, which is one thing. When I sat through the consideration of the Planning Bill, I heard that one of the ideas was to give the power of simplified planning zones and the like over to the new councils under RPA. In fact, the whole of thrust of RPA, and some of the key responsibilities associated with it, are being stripped before they can be RPA-ed. That is the craziness of this.

**Mr B McCrea:** I thank the Member for his intervention. Usefully, he pointed out something that even I had not seen regarding the entire scope of this audacious plan. It is not just the Minister or the Department of the Environment. It is RPA. It is the councils. It is the whole democratic process. Frankly, this is brilliance. This is fantastic. What will the next amendment be from the DUP? Will it be that we do not actually need the Assembly, and that they will just have a meeting between the two of them?

**Mr Allister:** We need the salaries.

**Mr B McCrea:** We need the salaries. It may well be that there is some modest role for some of us round here. I am not sure, at this late stage, whether anybody outside the Chamber is listening. The media may well have got their package and put it to bed. They do not see this. This is so big and brilliant. If you are going to try to slip something past, make it big and so audacious that nobody will even look at it.

I have to say that, when I heard the arguments put forward about why we should agree to this amendment, I might have had a certain amount of sympathy about its objectives. It might be, as was suggested, that we do need to do something about our planning process and have some way of dealing with these things. There is no doubt that Northern Ireland is somewhat slow in comparison with other jurisdictions and that we need to find ways to fix that. However, if you are going to do that, why take powers away from the Minister? Why not give him the powers to let him move forward on this? He will probably not thank me for this, but I have to say, grudgingly, that he is one of the better performing Ministers. He is actually trying to do things; he is moving things forward. I may not agree with every single thing that he does, but he is at least competent, on top of his brief and trying to make a difference, and you are trying to take the power away from him. I really do not understand why, when you find somebody doing something good, you tell them that you do not want them to do it any more.

**Lord Morrow:** Will the Member give way?

**Mr B McCrea:** I will give way in just a moment. The challenge is out there. I have to say this to Members present: understand what we are doing here. The whole of our Executive, our Assembly, and our democratic and constitutional position was built around the Belfast/Good Friday Agreement. The whole idea was that, because of the special circumstances that existed in Northern Ireland, we would have to have an Executive, with executive powers. The clue is in the words — executive powers — which are vested in the Minister.

We have a very specific process — d'Hondt or whatever system is adopted — to try to make sure that there is a division of powers. It is not the same as in other places where, perhaps, the Assembly would take every single decision, because, at the time, people complained about majoritarianism. This amendment is a fundamental attack on that process. Let us not pretend that this is just some minor piece of work and that we are just slipping it through for the good of Northern Ireland, "Move along. There is nothing happening here." This is a fundamental strategic attack on the democratic procedures in this place. I will say — I note that Mr Weir is agitated in his seat. Normally what happens — *[Interruption.]*

**Mr Deputy Speaker:** Order. It is clear that the Member does not wish to give way.

**Mr B McCrea:** Thank you, Mr Deputy Speaker. Of course, some people can make little witticisms and comments about language and all of those things. It is all grist to the mill. It is all about saying, "This is not really serious and you people over there are only taking up time. It doesn't really matter because the decision is already made."

I put out a challenge to some of the people who are present, because I have made my position quite clear, and my colleague Mr McAllister, I am quite sure, will say the same thing. It may well be that Members have some cunning plan, that they are not actually being led by the nose by anybody and that this is something that the two major parties have worked out amongst themselves and said, "Do you know what? We will just dispense with the others. Let's move on." I have to ask this question to other Members who will speak against the amendment: what are you still doing in the Executive? Why are you staying

in a position where, day after day, week after week, they rub your nose in it? They take the powers and they let you have a Skoda. I think that is the limit of what you are getting. The way things are going, pretty soon they will ask you to drive the Skoda, and they will be in the back.

I listened to the Chair of the Committee when she said — I think that I have got this correct — that she truly believes that, if this amendment is passed, nowhere in Northern Ireland will be safe. She also said that it was undemocratic. She mentioned, and I agree with her, that this is not to say that you are against the concept of enterprise zones or trying to encourage some way of moving our economy forward. However, this is not the right process. This is a disgrace. I know that Members from the Alliance Party feel strongly about this. However, they really have to consider how they are going to carry on in the Executive if they are going to be treated like this repeatedly.

I come to the UUP's position. I heard that some people were talking about raising a petition of concern, but did not get support from the parties that had the voting strength to make it happen. Mr Kinahan came up with words such as "it stinks" and he said that the amendment was a power grab and that the two main parties were acting together, and they should not even be trusted with it. Does anybody actually read those speeches? Does anybody actually listen to what Mr Kinahan says? Then he says, "how do you vote? What do you do next?"

Everybody who is not in the DUP or Sinn Féin should understand that they are being marginalised. You are being made even more redundant than you already are, and if you had any self-respect, you would look at this and say "if it is the Minister of the Environment today, it will be the Minister for Regional Development next and the Minister of Justice after that." This is not just a land grab; this is a power grab. This is really serious. This is a fundamental attack on these institutions.

I then get to the stage of saying "what is the SDLP going to do about it?" There are issues, and I am waiting to hear from the Minister. I would like to hear what he has to say. As I have said before — and, no doubt, he will deal with me appropriately for daring to say — he is doing a good job, but this is something where I expect him to come forward, put on the armour and come up fighting. I know that the SDLP is the guardian of the Good Friday Agreement — the Belfast Agreement — and it cannot see any change, but this was never the way it was meant to be. This was not what was supposed to happen. We were supposed to get around collectively and do what is best for Northern Ireland, trying to work out how we could all move it forward, getting the expertise that is in all parties working together, and that is fundamentally not happening.

If the rumours of a move for this Minister are true, I think that will not be helpful for Northern Ireland. What we need now is somebody who knows what they are doing and is able to resolve the planning situation that we are in. It requires expertise, and it requires somebody who is on top of their brief. It does not need OFMDFM wandering around saying, "We are going to do this. We are going to do that. We are going to take your money. We are going to take your resources. We are going to take all these things." That is not government; that is bully-boy tactics. That is anti-democratic — the people in this House in the DUP and Sinn Féin. I heard Lord Morrow talk — with some



eloquence, I might add — about how, in previous days, he was excluded, he was left out, he was not listened to —

**Mr McCallister:** He kept resigning.

**Mr B McCrea:** He did. He kept resigning because of it. When he was doing all those things, I kept thinking that he was about to say, “And now it is all going to be different”, but is it really? If you felt so aggrieved by what went on in the past, you should be ashamed of yourself trying to bring this particular point forward. You should reflect on the things that went wrong in the past and try and make it better. I have to say to you —

**Mr McGlone:** Thanks very much for allowing me to make an intervention. During all this, a key element appears not to have even been looked at, which is what sort of equality impact assessment has been done on this. We hear time and time again of OFMDFM, on the face of it, putting equality at the heart of the agenda here. Let us hear what it has done about this and what equality assessment has been done in regard to this one.

**Mr B McCrea:** That is an excellent point well made. What assessment on equality or anything else has been done? This is somebody who has come along and said, “Right, I tell you what. Let us not to worry too much about the detail. Let us just take all the power to ourselves. Let us put in every single caveat we can get and say that we are in charge. We are going to go and do this. Let us ride roughshod over the Assembly. Let us ride roughshod over people who have a democratic mandate. Let us go on and do what we think is best.”

Understand this, folks: the real challenge for Northern Ireland is how we work collectively for the benefit of all the people of Northern Ireland. This procedure is not it. I will say quite emphatically, in case you have misunderstood my sentiments in this, the Northern Ireland 21 party will be voting absolutely against this, and we will challenge all those people who will join us in the No Lobbies to consider the position as far as the Executive goes.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thought that someone else was down to speak before me, but I am raring to go following 21st-century-politics man here. I am glad to see that he has dropped the rhetoric of 20th-century politics.

### 8.15 pm

This is the political part of the debate. Most of the debate so far centred around the environment or economics. This is a debate on largely a single issue to do with politics and how our system of government is structured and arranged, and how decisions are made.

Personally, I share many people’s concerns about some of the potential outworkings of this amendment. It could have been handled better. In the manner of trying to get buy-in from across the Chamber, people could have been given much more than a couple of pages of text from a legislative document on a Thursday. However, that is what we have, what we have to deal with and what we have to put at the heart of this: not how the thing was made even though there have been fairly reasonable criticisms of that process.

We all share the acknowledgement that planning reform is required. That is what we have been debating for most of the day. We are largely agreed that decisions often

take too long, and too many are challenged in the courts on insubstantial grounds, further delaying potential investments and impacting negatively on the potential for job creation.

**Mr McGlone:** Will the Member give way?

**Mr Flanagan:** Go on ahead.

**Mr McGlone:** I am glad that you took us into the heart of the court. A fundamental principle in a democratic society, that of the right of the citizen or community to have their case heard in court, is about to be removed as a result of this amendment. That is a major issue, which is fundamentally anti-democratic and anti-citizen.

**Mr Flanagan:** It is hard to argue with Patsy. Fortunately, I have a technicality: that is a matter for the group 3 amendments, so I get out of it on those technical grounds.

**Mr Eastwood:** Perhaps I will ask you a question because I asked you one earlier and was ruled out of order, and rightly so, because it was a question more about this group of amendments. As someone who has been very vocal and very good in the campaign against fracking, will you or will you not now be arguing for County Fermanagh to become an economic zone under this legislation?

**Mr Flanagan:** I thank the Member for his intervention. Arguing whether County Fermanagh should or should not become an economic zone is hard because, once again, all we have is the text of this document. What is quite clear is that many areas around this region are completely underdeveloped.

A recent leaflet published by the DUP boasted that £1 billion of investment was leveraged into east Belfast. Areas such as your own in Derry and my own in County Fermanagh could only cry out for that sort of investment. This will not solve many of those problems. There needs to be a sea change in how government deals with people and encourages inward investment to those areas. I will come to your point about County Fermanagh, Colum, and if you are not satisfied with my response, I will let you back in.

There is political disagreement in the House on how we bring in planning reform, and that is wholly legitimate. It is not one of the easiest arguments that ever had to be made to get your head around the detail of this. Some claimed that this amendment will pave the way for fracking. That is a possible outworking of the Bill, but, thankfully, I can state that that will not happen. That will not be an outworking of this Bill.

On the contrary, —

**Mr Wells:** Will the Member give way?

**Mr Flanagan:** I will in a minute, Jim. On the contrary, this amendment will transfer any decision on whether fracking goes ahead from a single Minister to a group of three Ministers, including the First and the deputy First Minister. I have been supportive of all the Environment Minister’s comments on fracking, apart from the one on the BBC when he was misquoted. He has not said one thing about fracking that I would disagree with, so I was always hopeful that if a proposal for fracking came before the current Environment Minister to weigh up, he would take the right decision and not allow it to go ahead.

However, there is always the reality that that Minister will not be in that office for ever and that the SDLP will not

always hold that portfolio. It is fairly well known around this place that the DUP regrets letting the environment portfolio go. They did not realise how much power they had in that Department.

**Mr B McCrea:** *[Inaudible.]*

**Mr Flanagan:** Technicalities, Basil.

I do not know whether the amendment actually removes somebody's right to challenge this in court. If the amendment stands up, is approved and successfully becomes law, what will actually happen is that responsibility for —

**Mr Wells:** Will the Member give way?

**Mr Flanagan:** I am sorry, Jim. I forgot that you wanted to intervene.

**Mr Wells:** I am intrigued and interested because, as the Member is aware and as I mentioned, several of those who had the time to contact me about the Bill indicated their concern that it could lead to fracking. I am not expressing a view one way or the other on fracking. The Member seems to indicate that he knows that that definitely will not be the case. Obviously, he has been briefed by his side of OFMDFM on the specific projects that the Bill will cover through the proposed amendment. I would be very interested if he could give us an insight into the nature of those projects, because I think that that would allay many people's fears.

**A Member:** You have not been briefed.

**Mr Wells:** I have not. I am not on the Committee for the Office of the First Minister and deputy First Minister.

Such an insight might allay fears. If we are talking, for instance, about taking a derelict part of the shipyard and designating it as one of those zones, which would enable it to be regenerated and rejuvenated quickly, I do not think that anybody could object to that. The Sirocco Works in east Belfast has been lying in a totally derelict condition for several years. If the Bill enabled the quick regeneration of that site, I do not think that people would have problems.

However, some of the people who contacted me asked what would stop somebody from designating Fermanagh as a zone to enable the huge economic benefits that fracking would bring to accrue for Northern Ireland. That does not mean that you are in favour of fracking: it is an economic fact that fracking would bring millions, if not billions, of pounds to Northern Ireland. Fermanagh would be designated as a zone and away we would go. The Member has obviously had assurance that that will not happen, and I would like to know where he got that assurance and how he can be so specific.

**Mr Flanagan:** I thank the Member for his intervention. I will deal with his actual question in a second. I have not heard anybody here argue against the principle of economically significant zones. I think that the problem that those who are not in the Office of the First Minister and deputy First Minister are arguing about is that power is being taken away from the Minister of the Environment. That is their concern, not the actual zoning process. However, I stand to be corrected on that.

If a proposal for fracking in Fermanagh or any other substantial process comes forward, in the absence of consensus between the First Minister, the deputy First

Minister and the Minister of the Environment, the decision will transfer to the House to allow MLAs of all parties and of none to have a proper debate on the issue and to give each one of us a vote on whether it happens.

*(Mr Speaker in the Chair)*

I reassure people that Sinn Féin's position on fracking is crystal clear. It has passed motions at successive Sinn Féin ard-fheiseanna outlining its opposition to fracking. That is how Sinn Féin policies are made: they are debated and decided on at our annual ard-fheis. At the past two years' ard-fheiseanna, motions have been passed that outline our firm opposition to fracking. I can say firmly that if a proposal for fracking were to come forward, and there were no consensus between the First Minister, deputy First Minister and whoever the Environment Minister was, and it came to the House, Sinn Féin's 29 MLAs, in line with that policy, would use a petition of concern — it would seek another MLA — to stop that proposal from going ahead. That is our position on fracking. That is how clear it is. We are opposed to fracking, and we will use whatever legislative mechanisms are open to us to stop it from going ahead.

**Mr Swann:** Will the Member give way?

**Mr Flanagan:** Go ahead, Robin.

**Mr Swann:** Can the Member give the same reassurances about lignite in north Antrim?

**Mr Flanagan:** Unfortunately, Robin, I do not have a list of Sinn Féin motions from successive ard-fheiseanna. However, if Sinn Féin's position is that it is firmly opposed to lignite in that area, and it comes to the House for a vote, we would vote against it and stop those things happening. That is how our party policy works. It is debated and decided by our membership. It is not debated by our parliamentary party here. It is not decided in Connolly House or any other place. It is decided at our ard-fheis, where every member of Sinn Féin goes to debate and decide on our policies. We will stick to that.

At present, we have only 29 MLAs. If we were going to introduce a valid petition of concern, we would need the support of at least one other MLA. I am hopeful that we could find an MLA somewhere in the House to support the proposal.

**Mr B McCrea:** Here.

**Mr Flanagan:** Is there somebody shouting in the corner? Basil?

Therefore, I would be fairly relaxed —

**Mr McGlone:** Thanks very much for giving way, Mr Flanagan. We have heard about two very contentious and sensitive issues in different parts of the North — fracking in the part of the country that you are from and lignite mining in north Antrim. What about the right of an individual or a community that is under threat or feeling vulnerable to take a judicial review on those issues? That right and democratic entitlement is being diminished and denuded. Under the proposals, we are moving almost to a totalitarian planning system. It is the fundamental right of citizens to challenge such matters through the due process of law.

**Mr Flanagan:** Once again the technicality that gets me out of that at this stage is that that is a group 3 amendment,

and we are still only on group 2. The Assembly will vote on amendment No 20, which is in group 2. We will then debate the group 3 amendments, which include what you are talking about. That is a separate issue, and I do not want to be ruled out of order, but I will contribute to that debate later on.

A Cheann Comhairle, that is all that I have to say on the amendment. I am not overly exercised about this. Many people are genuinely concerned that it will lead to fracking, but I can say that that will not be the outworking of the amendment.

**Mr Speaker:** Before I call Mr McCallister, I wish to advise the House — Members will know this — that a valid petition of concern has been tabled to amendment Nos 21 and 23. Of course, the impact of the petition is that, after the Question has been put on amendment No 20, proceedings will stop. The Questions on amendment Nos 21 to 23, and so on, will be put tomorrow. As we will not have reached amendment No 24 tonight, the debate on group 3 will also take place tomorrow. The Business Committee will agree the arrangements for the rescheduling of the Bill's Consideration Stage when it meets, hopefully, tomorrow morning.

**Mr Weir:** On a point of order, Mr Speaker. I obviously appreciate those arrangements, but for the benefit of the House, will you clarify that the remainder of business outside the Planning Bill will be debated tonight?

**Mr Speaker:** That is what I was coming on to. We will, of course, proceed with the remaining items in the Order Paper tonight. I think that Members need to understand that when a petition of concern is put into the Business Office on the evening or day on which the issue is being discussed, the vote cannot then be taken until the following day. That is the impact of a petition of concern. I wanted to alert the House early to the situation at the minute. Hopefully, the Business Committee will meet tomorrow at 9.30 am, when we will try to accommodate the Minister and Members and reschedule the Bill's Consideration Stage for debate.

**Mr McCallister:** Like many others in the House, I am concerned and dismayed by the amendment. We are told by Sinn Féin and the DUP that this is about economic regeneration. I do not think that anyone in the House is against creating jobs. Goodness knows, given our youth unemployment rates and general unemployment rates, we need to create jobs and do much more and much better than we have been doing. However, it is a little drastic to think that our planning system entirely grew our economy and then caused it to flatten out.

### 8.30 pm

Mr Hamilton, in response to an intervention from Mr Allister, said that the reason why they needed to seize that power from the Department of the Environment is that it is a cross-cutting measure. Therefore, they would presumably need the power to move the rates in the economic zones and change other such things. However, what Department would not be included in that if it is so cross-cutting? We have no idea where the zones will be.

Will some of them be in rural areas? Would we need the Department of Agriculture and Rural Development, or is DETI going to be involved through Invest NI in trying to stimulate that? Will that be more power than OFMDFM

needs to secure for itself, or is this effectively a warning to Ministers from other, smaller parties to bring legislation at their peril because DUP and Sinn Féin will try to stick something into that legislation?

I will give way to Mr McGlone.

**Mr McGlone:** Thank you, Mr McCallister. We have heard about the void that exists around equality proofing for this very significant move today in the Assembly, but might it also be useful to hear whether there has been any stab whatsoever at rural proofing, which moves into another Department and the much vaunted aims of the rural development strategies and the likes, in regard to this proposal that we have before us today?

**Mr McCallister:** Rural proofing has proved more to be something to put in a press release; there is very little evidence of it ever taking place. The Member represents a fairly large rural constituency, as do I, and could certainly confirm that we have not seen much evidence of it in any shape or form right across a range of government policies. You would need those cross-cutting decisions if you were doing that, so it makes an interesting point as to why, even if you accepted the argument about this amendment, and on the very intervention that Mr Allister made, would you not keep the power with DOE? Why would you take it back to the centre? If this was seriously about a collective, cross-cutting, reasonable approach by the Northern Ireland Executive, all Ministers would have their shoulder to the wheel to try to regenerate our economy, to stimulate where possible, and to speed up the planning process. As I said in the debate on the first group of amendments, there is no one in this House who would not like to see a faster, more responsive planning system. There is probably no one who does not get frustrated when, sometimes, issues in planning that should be very straight forward seem to take an inordinate amount of time to resolve. That is something that we all want to see addressed.

However, to go back to my point, why take the power back to OFMDFM? Let us go through some of these issues. Mr Flanagan has tried to convince us that, whatever happens, he and Sinn Féin will protect the people from Fermanagh whatever their view on fracking. He says that they will not allow that to happen and that they almost have enough signatures for a petition of concern, but does anyone really think that this will keep coming back to the Assembly for debate on every single planning issue?

I will give way to Mr Kinahan.

**Mr Kinahan:** Thank you very much. Has the Member considered what will happen in the future when different parties are in OFMDFM? You might not be able to guarantee that there will be no fracking because we will have different parties making different decisions. No one can give a guarantee.

**Mr McCallister:** I am sure that Mr Kinahan was not suggesting that NI21 would be there just so soon — *[Laughter.]* — but, at some point, there will be different parties in OFMDFM, and there will be different parties looking after these issues. I hope that, when parties are doing that, they work to form a proper Programme for Government and work through it, instead of cobbling huge amendments onto a piece of legislation at the last minute.

I will give way to Mr Wells.

**Mr Wells:** My understanding is that the Member is incorrect; that, under clause 8, if agreement is not reached between OFMDFM and DOE, any proposal to designate one of those zones automatically comes to the Floor of this House for agreement and could be subject to a petition of concern or whatever. In the absence of any of the individuals who drafted it, I do not have total assurance on that, but my understanding is that if he reads it carefully, he will see that if Mr Attwood as Minister of the Environment says no to the designating of one of these zones, that proposal must then be approved by the Assembly.

**Mr McCallister:** Considering the way in which we are bringing in this amendment at the moment, I am sure that that reassurance is fairly cold comfort to many Members on these Benches and, I imagine, the Minister. Maybe OFMDFM will take away that power with an amendment at Further Consideration Stage; I think that they will probably try to grab that one as well.

If we move part of planning into OFMDFM, and if it is also in charge of the planning appeals system, is there a conflict of interest? It would be useful if the Minister would comment on whether he has had any legal advice on the issue. Is it reasonable to let OFMDFM continue in the role of appointing and working with the Planning Appeals Commission, or do we need to look at that system if the amendment is made tonight? There is a very direct conflict of interest that must be challenged. OFMDFM would be making decisions on economically significant planning zones. As Mr Hamilton mentioned earlier, planning tends to be adversarial. Not everyone jumps for joy when every decision is made. Therefore, it is very unwise to have the Planning Appeals Commission with OFMDFM if OFMDFM becomes an extension of our planning system. That is entirely wrong. It should not be allowed to happen. It is a very strong argument for why we should reject the amendment outright.

I see that Lord Morrow is not in his place. He will not be disappointed to hear that I agree entirely with my colleague Basil McCrea. If you look at a series of decisions that have been taken lately, you have to ask why some parties stay in the Executive. Only last week, we discussed and debated what might happen to the A5 moneys. Again, Sinn Féin and the DUP took it upon themselves to decide that they would be best placed to look after those moneys. Look at this decision. We have a Minister of the Environment from one of the smaller parties in the Assembly, and powers are being taken away from him.

Although I do not agree with every decision that Minister Attwood has made; at least he has made decisions. One of the things that you find out sometimes when dealing with some business leaders is that people like decisions to be made. The Minister has proven that he is not afraid to do that. However, this attempt to take power from a Minister goes to the very heart of what our agreement has been about over the past 15 years. It is no great secret that I would like to see us moving to a model of government and opposition. If ever the Assembly needed an example of why we should have a government and opposition, this amendment is it. We have a Minister who is having powers removed from him through the amendment, and he can do nothing about it. He can speak passionately about it and maybe give some background to some of the legal advice that he has been given; but can he stop it? No. That is fundamentally wrong. If you look at other systems of

government that have any sense of collective responsibility on the Executive, that could not happen, but that is what is happening now, and we should not have that system in place.

As my colleague Mr McCrea said, there have been two examples inside a week of Ministers from smaller parties having their policies ridden over roughshod. Those parties and Ministers should seriously think about the way forward and whether they want to continue in an Executive that disregards their views and the policy agendas they are setting out, and uses a planning Bill to insert a huge amendment — it could almost be a Bill on its own — that completely changes the Bill and has such a dramatic effect on the functions of a Department and the way that our Executive will function.

Like many colleagues on these Benches, I will certainly be firmly voting no and will continue to speak out against something that we believe so strongly about. This amendment is wrong, and it should not be passed tonight.

**Mr Allister:** The position that we have arrived at is a most illuminating commentary on the system of government in Northern Ireland. We appoint, by a specific means, Ministers to various portfolios. We appoint an Environment Minister, and planning is a large part of his portfolio. That Minister is then ambushed by an eight-page amendment to a Bill that he, in good faith, has brought to the House, and that has been through the relevant Committee of the House, without a whisper of that ambush. The amendment was presented to the House a few hours, in working terms, before the Bill was due to have its Consideration Stage. Not just the House but, most particularly, the specifically appointed planning Minister has been ambushed. That is, I suggest, a most illuminating commentary on how government works or does not work in this House. It is also an illuminating insight into the political motivation and intent of the ambushers, and the respect or disrespect in which they hold their Executive colleagues.

It is one thing to take a certain attitude to those of us who are outside the Executive in this corner of the House. However, to take that same overbearing, pull-a-fast-one attitude to Ministers in the Executive is quite staggering. This has to be the most audacious power grab that the House has seen for a very long time. Indeed, it is such a power grab that it would do any totalitarian regime proud. Totalitarianism may be no stranger to Sinn Féin, but you would have thought that those who call themselves the Democratic Unionist Party might have some hesitation about it. Clearly not. Totalitarianism rules supreme in this amendment. This amendment is about garnering all power to themselves. It is clear that the DUP has learned a lot from Sinn Féin and that it is now “ourselves alone”.

#### 8.45 pm

It is about garnering all that power of a strategic nature on planning to themselves and, in the doing of that, humiliating the planning Minister in the House in such a calculated and deliberate fashion that it can only be intended to humiliate him. No consultation whatsoever. No pulling him aside after an Executive meeting and saying, “We were thinking about this. What would you think?”. No. They hit him with the detailed, considered, eight-page amendment, about which he knew nothing — no more than any of the rest of us, outside those two parties, knew anything about it — while, all the time, going through

the motions of debating the Committee Stage of the Bill, knowing all that time what was intended and what was going to happen. That is, I think, even by the standards of this House, quite, quite shocking.

Some people, of course, will be delighted by this direction of travel. The development donors to the Democratic Unionist Party will be delighted by this direction of travel. I am sure that some of them are rubbing their hands with glee, thinking that investments made are going to make a good return. When they think that things are now safely in the hands of the First Minister, who knows about a good £5 land deal, I am sure that they are much comforted about where things are going strategically on planning in this House.

**Mr B McCrea:** Will the Member give way?

**Mr Allister:** Yes.

**Mr B McCrea:** Given the well-founded accusations that he has just made, does the Member not express surprise that the once talkative DUP have not thought to stand up from their Benches and say, "That is not the case. That is not what is happening". Why is it that the DUP, on this particular issue, remains silent against the charges that you have made? Would you, Mr Allister, take an intervention from any DUP Member who would like to challenge your assertion?

**Mr Allister:** I will certainly take any intervention from anybody who wants to tell me about the Fraser donations, the Sweeney donations, the Campbell donations —

**Mr Speaker:** Order. I just warn the Member of the allegations that he is making in the House. Members will know that I allow them quite a bit of latitude when it comes to Bills in this House and amendments to them, because I understand that, when it comes to amendments, there are sometimes wider issues. However, I warn the Member not to go down the road that I think he might want to go down.

**Mr Allister:** I do not think that I made any allegations that are not public knowledge.

So the proposition is that a Department, OFMDFM, with no planning officers in its ranks — yes, it has 400 staff, but none of them works as a planner, and it may have special advisers by the legion, but none is a planning specialist — should become the strategic planning Department for economic zones in Northern Ireland. The Department that cannot even answer questions in the House in a timely manner and cannot address strategies that are its responsibility in a timely manner; the most failing, dysfunctional Department of all the failing, dysfunctional Departments that there have ever been; that Department, because we need economic regeneration, will take upon itself the strategic planning function. Even it must know that it has neither the capacity nor the ability to do the job, yet it has an irresistible urge to power-grab on the issue, knowing full well that the losers will be the people of Northern Ireland, who want a functioning, working, good planning system but who are to trade in what they have for the standard dysfunctionality of OFMDFM. No matter what way you look at that proposition, it is utterly indefensible.

Even if we take the proposition that there is a need for a co-ordinated approach to economic zones and that you need to have economic zone planning — let us all accept that argument for a moment — why would you ever want to remove those economic zones from their natural home and

hinterland, the Department of the Environment, where the rest of planning resides? Even if we need economic zones, that is no justification whatsoever for extracting them and delivering them to OFMDFM. The fact that they are going there is confirmation in itself that this is just about power and the grabbing of power.

There is much in the eight pages of amendments that goes unanswered. We must have had the most hapless, uninformative speech from the proposer of an amendment that the House has ever heard from Mr Boylan, who patently knew and understood nothing about the detail of those eight pages. Someone said that his heart did not seem to be in it. That may be so. I do not know what the deal was whereby Sinn Féin agreed to the DUP driving force on that power grab, but I know that it was a deal. I do not know what the trade-off was — whether it was the Maze or something else — but it patently was a trade-off. It is obvious to the House that the driving force for the amendment comes from the DUP Benches and that Sinn Féin Members are largely passengers, though willing passengers.

Mr Boylan's speech was a classic example.

The only Member in the House — of course, he is ever eager to please, no more so than now, when he can see the limousine beckoning —

**Mr Hamilton:** It is only a Skoda.

**Mr Allister:** It is only a Skoda. Well I am sure that Mr Hamilton aspires to much more than a Skoda. *[Laughter.]* The ever-eager-to-please Mr Hamilton seemed to be the only one who had any grasp of what anything in those eight pages might actually mean. I did try to intervene with him latterly to ask for some illumination, because we are in the bizarre position where the Minister will not be able to answer the questions because he has not seen the draft for any longer than the rest of us have, and it would have been patently cruel to ask the proposer the question. *[Laughter.]* So one is left with no one to ask. Let me ask one question, and let me go no further than the first of the eight pages of the amendment, where it says, in the proposed article 13A(2):

*"The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it ... planning permission for development specified in the scheme or for development of any class so specified."*

Let me re-read that, leaving out some of the superfluous words, so that I can make the point that I want to make:

*"The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone ... development of any class so specified."*

Is that class as specified by the use classes order? Answer comes there none. Or, is it as specified in some other way? If it is class as specified in the use classes order, does that mean that, by creating an economically significant planning zone, we grant, at a stroke, planning permission to anything that is in a particular class of development? If you grant planning for mining, offices or anything else in the use classes order, you are gifted, without any further questions from any upcoming user, that area for mining, offices, manufacturing or anything

that is in the use classes order. You are gifted planning permission without even having to ask.

Where does that stand with the long-established fundamental principles in planning that say that, when you come to make your application, you have to address the basic issues of location, siting and design?

**Mr Hamilton:** Will the Member give way?

**Mr Allister:** I will when I have finished.

Where does that stand if you are gifted a global right to have a particular class of development in a zone and you never, it seems, have to address in that zone the questions of location or siting and you certainly never seem to have to address the question of design?

I will give way to the Member.

**Mr Hamilton:** I thank the Member for giving way. The aspect of the amendment that the Member is railing against so strongly is, verbatim, the same as section 33(2) of the Planning Act (Northern Ireland) 2011, which allows for the creation of simplified planning zones in Northern Ireland. He is very angry — a lot of people were nodding their heads around him as he railed against this aspect of the amendment — about a piece of legislation and a principle that the House agreed when it passed the 2011 Act.

**Mr Allister:** That sounds a bit like the Nuremberg defence to me. I was not here when the 2011 Act was passed; if I had been, I would like to think that I would have asked that same question. I am sorry that no one else did, but the question still needs to be answered. *[Interruption.]* Are we now just giving a carte blanche in these economic zones to anyone —

**Mr Hamilton:** We already have.

**Mr Speaker:** Order. The Member has the Floor.

**Mr Allister:** Are we just giving a carte blanche in these zones to anyone who comes up with any scheme, no matter how hare-brained, provided that it is in the class that is being used?

**Mr Hamilton:** It is exactly the same —

**Mr Speaker:** Order. Let us not have a debate across the Chamber. The Member has the Floor.

**Mr Allister:** Whether it is the same as something else is neither here nor there, because here we are talking about potentially huge, unspecified, unlimited economic planning areas, and you are just going to say that you have carte blanche to do what you like. You do not have to worry about design or anything else. Is that really what the proponents of this amendment, whoever they may be, want?

## 9.00 pm

**Mr McGlone:** I thank the Member for giving way. I did sit through the passage of the previous Planning Bill. I mentioned this earlier, but for Mr Hamilton's ears' benefit, I repeat: the simplified planning zones were to be handed down for consideration, after the implementation of RPA, to local councils. Therefore, I go back to my original point: they are taking the powers that were supposed to be handed over to local councils and putting them at the centre. That is not democracy in my book.

**Mr Allister:** I tend to agree.

The situation is this: there is supposed to be devolution of some planning powers to the new councils. What is going to be left for the planning Minister? The strategic planning that touches on the economy through the zonings, with no limitation on their extent, will be removed from him. The Minister stood at the Dispatch Box earlier and said that he was here to put forward good law. He said that it was his aspiration, as Minister, to bring to the House good law. Although there is a challenge for those who peddle this amendment, there is also a challenge for the Minister. Does he think that this amendment is good law? If he thinks that it is bad law, will he return to the House at Further Consideration Stage and say, "Approve this bad law." That is the challenge that the Minister will have to wrestle with.

Is he prepared to be overborne by the DUP/Sinn Féin cabal in the House and be brought to the point at which something that he brought forward in good faith as good law can be overwhelmed by what he thinks is bad law and yet still bring it back to the House? Or will the Minister find the courage to say, "I will move no further stage of this Bill if it is made into bad law by the passing of this amendment."?

As Mr McCrea suggested to him, will he go one step better and say, "There is a limit to which I will be humiliated. There is a limit to which the rights that the SDLP has in this Executive will be trampled on." When you get to the point of denuding a Department of key, fundamental powers, the time has come to go. If anything good is to come out of this amendment, it could be that. At last, those who have been trampled on and used as doormats might act, whether it was forcing them to announce an A5 project that they did not even believe in and then, when it began to fall, humiliating them by saying, "We will decide where the money will be spent", or saying to the planning Minister, "Any planning powers that matter, we are taking them from you."

There surely has to come a point at which the parties in the House who are treated in that way by those whom they prop up in the House reach the point of saying, "There is a line. It has been crossed, and we must go because we can do no other." That would be the dignified and honourable thing to do. I trust that even yet some will find the courage to do that. Government in this House will be the better for it, because at least then you will force the issue of opposition in this House.

The situation with the planning Minister is scandalous. I do not agree with all his decisions: I most certainly did not agree with his John Lewis decision or his Rose Energy decision, but he is the Minister. He is the man who has been given the authority. I say in his defence that it is wrong that, for the political expediency of the ruling cabal, he should now be humiliated in this way and robbed of such powers as he has. For what it is worth, I will most certainly vote against this amendment.

**Mr Agnew:** I welcome the opportunity to speak on the amendment tabled by the developers' union party and its colleagues Sinn Féin. This amendment has nothing to do with good governance and everything to do with centralised power and control. We had hours of talk about the balance provided by sustainable development, the balance between environmental priorities, social needs

and economic priorities. That all goes out the window with this amendment.

In the debate on the first group of amendments, there was talk of a wrecking amendment. This is the wrecking amendment. This is the amendment that wrecks the Planning Bill and, indeed, that will wreck our planning system if it is allowed to go through. It will allow for complete deregulation of planning at the whim of the First and deputy First Minister where they so decide. Balance, fairness and community planning will all go out the window in areas where OFMDFM decides. In the debate on the first group of amendments, I spoke of the loaded dice. This amendment loads the dice very much in favour of developers and against communities.

The DUP, the developers union party, had four years in the environment Ministry —

**Mr Speaker:** Order. The Member will know of the ruling that I made some time ago that Members should call parties and other Members by their proper names.

**Mr Agnew:** I thank the Speaker for his guidance. The DUP had four years in the environment Ministry to create better regulation of our planning system; it promised that. The DUP failed in that regard, so it has gone from better regulation to deregulation and is being supported in that by Sinn Féin.

**Mr Weir:** I thank the Member for giving way. He talks about regulation while the DUP was in charge of the DOE. We brought forward the 2011 Planning Bill, which, in terms of the number of clauses, is probably one of the largest Bills ever to come in front of the House. Apart from anything else, that legislation created simplified planning zones. This is effectively the model for economically significant planning zones. Very major steps forward were taken. I appreciate that the Member's hands, and those of the Member who spoke before him, are clean in that they were not here at that time. However, a very lengthy and substantial piece of legislation was brought forward in the last Assembly.

**Mr Agnew:** I thank the Member for his intervention because it allows me to make the point that just because I was not an elected representative during the passage of the last Planning Bill does not mean that I have not looked at its provisions. This is not simply about simplified planning zones. As has been pointed out, those already exist in legislation so there would be no need to provide for them again. As has also been pointed out, the simplified planning zones were for councils with between 40 and 60 members to designate. Those are based in their local community, make decisions on their local community and are accountable to their local community. These are zones designated by OFMDFM —

**Mr Wells:** Will the Member give way?

**Mr Agnew:** I will finish the point and then give way.

These zones are designated by OFMDFM with much less accountability and much less debate and dialogue, as it is an office of two. The other difference is that there are exemptions in respect of where you could have the simplified planning zones; for example, areas of conservation. There are various protections in that legislation that do not exist in this amendment. That is why it is not simply a case of that legislation being reinstated. If it were, we would not need the amendment. It centralises

what was supposed to be devolved to communities and councils, but it also goes further than current legislation does. I will give way to Mr Wells.

**Mr Wells:** I understand the Member's concerns and see where he is coming from. However, is he being entirely fair? The proposed article 13A(8) states that the zones will be designated with the consent of the Department of the Environment. If that happens —

**A Member:** Or.

**Mr Wells:** I am coming to the "or".

If that happens, there is no problem because, presumably, the Minister of the Environment will be perfectly happy with the designation and the process or it will be approved by resolution of the Assembly. It is not simply a question of OFMDFM taking the power unto itself. The first lock is that the DOE has to approve it, and if that is not the case, my understanding, unless I am totally wrong, is that any designation then has to come before the House, which is a democratic Chamber for all of Northern Ireland, for approval. Is the Member being entirely fair in his criticism?

**Mr Agnew:** I thank the Member for his intervention. I talked a lot about the short-term nature of some amendments to the Planning Bill. In the short term, OFMDFM made the calculation that its two parties have the deciding votes in the House; so, passing something through the Assembly Chamber would not be a great obstacle. I take the Member's point about the Environment Minister, but for all I know, it is his party's intention to take that Ministry back in the next mandate. Indeed, it might decide to do a reshuffle in this mandate if it feels that the Environment Minister is being a blockage. So, I am not reassured about that.

**Mr Boylan:** I thank the Member for giving way. I listened to Mr Allister say that I had not read the amendment. I did read it. He picked up on the point about proposed article 13A(8)(b). Would you not encourage the Minister, under proposed article 13A(8)(a), to work with OFMDFM? He has the opportunity to do that now, and he also had an option to bring forward simplified planning zones through the 2011 Act anyway.

**Mr Agnew:** The Minister can work with his OFMDFM colleagues, but they clearly did not work with him on this amendment. My understanding is that simplified planning zones are to be devolved to councils. Maybe the Minister wanted the power to lie there. I will let him answer that. When the DUP held the Environment Ministry, it had the power over economic planning zones, and three subsequent Ministers did not use that power. It is unclear why the need has arisen.

There was some debate on fracking, where the planning zones would be, and whether there would be one in Fermanagh. I will put in the caveat that I, like other Members, heard about this amendment only on Thursday evening and if I am wrong, I stand to be corrected; but my understanding is that there is nothing in the amendment that prevents Northern Ireland being designated as an economically significant planning zone. It was said previously in the debate that nowhere is safe, and that is absolutely the case. If Northern Ireland becomes an economically significant planning zone, we absolutely will see the free-for-all that Members on opposite Benches have said that we will not see. They may not choose to go down that road, but we have no guarantees that they will

not do so, and I contend that no sane Parliament would give such powers away so easily. Indeed, only a insane asylum would grant such powers to an office such as the Office of the First and deputy First Minister.

We have seen the outcomes when the First Minister gets involved in planning decisions, and I reference Knock golf course as just one example. Parties in this House, with the exception of the Green Party, do not declare who donates to the party. So we do not know. Whoever takes on OFMDFM, and the point —

**Mr Dickson:** Will the Member give way?

**Mr Agnew:** Yes.

**Mr Dickson:** On a point of information, Mr Speaker, the Alliance Party, along with the Green Party, publishes the donations to our party. They are very clear on our website, and it would be interesting if other parties in this House did the same.

**Mr McCallister:** We have not had any yet. *[Laughter.]*

**Mr Agnew:** I thank the Member for his intervention. I will give way again if I am wrong but, the last I looked, the Alliance Party had not received any donations over the limit set at which it will declare donations. The Green Party deliberately set the limit lower than the £7,500 that is designated. Unfortunately, we do not get donations over £7,500, so we declare every donation over £500 to ensure transparency.

What we do not have is transparency in our planning system, so, potentially, developers are giving money to political parties. Those same political parties will be given even more control over planning decisions if this amendment passes. There is already suspicion of corruption in the Planning Service. To be fair, politicians, with the exception of the Environment Minister, do not have a great deal of say in planning decisions. If we give politicians, namely OFMDFM, even more power, particularly over significant economic planning decisions, the suspicion of corruption will only increase. I challenge any party in this House that wants to see public confidence in the planning system to publish their donations, whether or not they are required to do so by law.

Planning was supposed to go to communities. A big element of the Planning Act (Northern Ireland) 2011 was to put communities at the heart of planning and to devolve planning to councils to make it more accountable. This amendment flies in the face of that and, indeed, takes things in the opposite direction. It puts the power into OFMDFM, with one of the supposed objectives being to speed things up. I will not have been the first person to have had a chuckle at the suggestion that OFMDFM will speed things up.

Let us look at OFMDFM's record on delivery; I will try not to take as long as OFMDFM does. We saw delay on the social investment fund. On the childcare strategy — hardly the most controversial of political hot potatoes — we have seen delay. We have seen delay on the shared future strategy. Every time the ethnic minority development comes up, it sees delay. The sexual orientation strategy? I have not seen it yet; it has been delayed. As Mr Allister pointed out, we even see delays in a departmental function as simple and basic as responses to written questions from Members. If you want something done quickly, do not send it to OFMDFM, because you might not see it again.

**Mrs D Kelly:** In due course.

**Mr Agnew:** In due course, as the Member says. As Stephen Nolan would say, they are working towards it. He is working towards 15 stone, but he has not got there yet.

This amendment is two fingers to everything that is good planning. It is two fingers to balance, it is two fingers to fairness and it is two fingers to community engagement. It has been purported that Northern Ireland must show itself open for business, but, time and again, this Executive seem to want to show that Northern Ireland is wide open for business to exploit our natural environment and, indeed, to exploit and drive development despite opposition from our communities. My colleague John Barry often says that the poor sell cheap, and we will certainly have sold out Northern Ireland if we pass this amendment. We will not know for some time what the true costs will be, but I fear that they may be catastrophic.

Finally, as has been made clear in the debate, the position at the Executive table on this issue is far from unanimity. Indeed, it seems that there is rarely unanimity at the Executive table. One thing that I can say is that there is unanimity in opposition from those of us in the back corner.

If ever there was a piece of evidence that suggested that the smaller parties should come out of the Executive, it is this amendment. It has been pointed out that Danny Kennedy was given his portfolio and his budget, and a chunk was assigned to the A5. The A5 was the disaster that some of us predicted it would be, and the money was taken back.

The Alliance Party was told, "We do not like you having two Ministries. We are going to take one off you." To be fair, maybe it is stuck with OFMDFM, but that has not happened yet. DEL is still here, so they must have OFMDFM working on it. They were told, "We are taking a Ministry off you because we are not happy with that." Now, the Environment Minister has the audacity to make planning decisions on article 31 applications which the First and deputy First Minister do not like, so they are going to take powers from him as well.

I think that we can agree that, if you are not in the Sinn Fein/DUP cabal, you are not really in power. I know that the Minister talks about the difference between being in power and being in government, and I would say he is increasingly in government but decreasingly in power.

**Mr Attwood:** I will respond to that last comment later.

I thank Mr Boylan, Mr Hamilton and Mr McCrea, and Mr Allister nearly got round to it — acknowledging whatever contribution I have made as Minister. I hope that my party colleagues were listening very closely to that. *[Laughter.]* Thanks to all of them.

I will even acknowledge it myself, in that I did not take the advice of Members to my left, yesterday and this morning, who said that I should not move this Bill. That was the advice I was being given: not to move the Bill. So some of those Members who have spoken with raised voices and greatest eloquence are the people who, this morning, said to me, "Do you really want to do this?" The debate on the first set of amendments and that on the second prove the point, in all its dimensions, about why this Bill needed to be debated, in terms of good and bad law, governance and politics. That is what we have now begun to touch on.



It seems to me that you could filter through all the comments that have been made in respect of this amendment. You could replay this sometime tomorrow. The third group of amendments, and in particular that one that tries to frustrate citizens who go to the courts to challenge public policy through judicial review. When you filter through all that — and this has been picked up by a number of Members — you will see that this has been the most one-sided debate about significant law that I can remember in my lifetime in this Assembly, and, arguably, in my lifetime in politics, and that has been quite a long time. It has been relentlessly one-way traffic, as to where the good and bad arguments lay.

Mr Elliott began, followed by Mr Allister and one or two others who spotted, very quickly, that the person who moved this amendment had nothing to say and displayed no conviction about what he had to say. It fell to his party colleague, Mr Flanagan, to hint, in a manner that you never hear in the ranks of the republican movement, of a sense of dissent and difference within that particular organisation. To be fair to him, Mr Hamilton put a brave face on it. At least, unlike Mr Boylan, he valiantly tried to defend the Bill, and Mr Allister referred to that as well. For reasons that I will explain, he will feel somewhat embarrassed very soon, in some of the language that he used in defence of this Bill, particularly in the way he sourced its contents in the Planning Act 2011.

I will put that aside. The word “humiliated” has been used about me. You could use a lot of words to describe some of what has been happening over the past while, and I will go back to the narrative around these amendments, because I think, in that, there is something to tell. However, it comes down to whether the whim of the DUP, at the behest — let us be clear about this — of the British Government, is going to again prevail over Sinn Féin. That is what is at the heart of this debate.

Although Mr Allister said that there was not a whisper about all this — I will explain the narrative in a second — there was a whisper about all this. It was a whisper that was published on 14 June. It was in a document that was written and endorsed by four people: the Rt Hon David Cameron, MP; the Rt Hon Theresa Villiers, MP; the Rt Hon Peter Robinson, MLA; and Martin McGuinness, MLA. It was the so-called economic pact ‘Building a Prosperous and United Community’. What did those four individuals say? In an act that was, in my view, potentially hostile to the democratic and devolution interest, the four of them said that they were committed to:

*“Creating a planning system that supports economic growth”.*

They also said:

*“The Executive will establish a new process for economically significant planning applications, and make new arrangements in relation to applications for Judicial Review of planning decisions.”*

So, whatever the narrative may have been over the past number of days regarding these amendments, there was a narrative before recent days. It was a narrative that was, in part, driven by the British Government, with the assistance of the Democratic Unionist Party and with God knows what when it comes to Sinn Féin. It was their agenda, not simply the DUP agenda. Sinn Féin has to ask itself this question:

did we struggle for so long to have devolution in this part of the world, control of our own law and our own destiny, only now to see that responsibility of power pass to a British Government who, on the basis of the Budget negotiations, demand of this Assembly new law when it comes to economic zones and impediments to judicial review? That is the question that Sinn Féin has to ask.

It is a question about where political authority resides. Does it reside in the democratic will of these institutions and in the democratic will that is expressed through Ministers in these institutions? Or, are we going into reverse and back to the days when London calls the tune, pays the piper and can use Northern Ireland as a place to sample and test new law when it comes to significant planning applications and judicial reviews (JRs)? Is that where we have got to after all these years of democratic struggle to achieve democratic institutions? Four people, without reference to the Executive in the North, without reference to the Committee for OFMDFM, decide that this is the character of law in the future. What does Sinn Féin have to say about all that?

I know, because one or two people in the DUP ranks opposite have spoken to me. I know that, within the DUP, there is anxiety about this proposal, the economic zones and judicial reviews. I do not think that the DUP is devoid of wisdom in this regard. I know, because its Members come in to speak to me about individual planning matters, law and policy. I know that they have an insight, one, two or more of them, into what is in the interests of the community and the citizens in the North.

### 9.30 pm

Given the rather embarrassed way that the DUP Members have conducted themselves on the Floor this evening, they have to ask themselves and their party whether they are going to allow bad law and bad politics to become prevalent through a Bill that is all about good planning and good law. Over the next short space of time, they have to decide whether they are going to review their position.

I want to deal with Simon Hamilton’s comments. As another Member said, Mr Hamilton at least put his head above the parapet. At least he was prepared to take the thing on the chin, and at least he was prepared to put some argument into what is bad law and bad politics. Consequently, I think that he is entitled to a response, or even to responses, that, in my view, he will not enjoy in one or two regards.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

His first point was to berate Anna Lo for tabling significant amendments at Consideration Stage, which is a late stage in the Assembly process. As I indicated, I wrote to Executive colleagues earlier today and tried to adopt a very consistent approach to all the amendments, even to those that my party will have voted for tonight. I went into the Noes Lobby on that amendment, because it was my view that the integrity of being a Minister, having given advice to other Ministers, was to hold that position, even though my party went to a different place.

In the paper that I gave to Executive colleagues, I contained my recommendations. I can tell you that a lot of Executive Ministers did not follow my advice. My advice was that, save for Anna Lo’s amendment on a shared

space and public realm, for a number of reasons that I outlined earlier in the debate, they should not agree to these amendments. However, part of it was because there are issues around consultation, if not in law, certainly in practice, and there are issues around good politics and good practice to see, visited upon the Chamber very late on in the debate, very substantial amendments. I held that position. So I say to Mr Hamilton in his criticism of amendments coming in very late to the Chamber, that that standard applies to everybody and to all parties. Although there will be a time and place where there should be some discussion about late amendments, I think that, whatever the detail of each amendment and taken in the round, the approach to the Bill at this stage has not been satisfactory in legislative terms or in the authority of the Assembly processes.

However, in making his argument in defence of the amendment that he spoke to, Mr Hamilton repeatedly relied on simplified planning zones in the Planning Act 2011. He made the argument that what was being proposed in the DUP/Sinn Féin amendment on economic zones was precisely the same, exactly the same and no different —

**Mr Hamilton:** No, no, I did not: that is a misrepresentation. I never said that.

**Mr Attwood:** Let us go back to the Hansard report — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Attwood:** Let us go back to the Hansard report. I suspect that Mr Hamilton has just had his card marked in the point that I am about to make. It is the case that, in bringing forward their proposal for economic zones, the DUP and Sinn Féin have borrowed heavily from article 33 and subsequent in the Planning Act 2011 on simplified zones. However, it is article 38, which refers to simplified zones, that has somehow disappeared from the DUP/Sinn Féin amendment. It has been utterly redacted, deleted, gone, ignored and sidelined. If we look at the practice of simplified planning zones in sections 33, 34, 35, 36, 37 and 38 of the Northern Ireland Planning Act 2011, the title of section 38 is:

*“Exclusion of certain descriptions of land or development”*

I am a bit surprised that Mr Allister did not pick up on the point, but I am sure that he will pick up on it now. Even if the economic zones proposed by the DUP and Sinn Féin are in the image of simplified planning zones, why is it that a key element of the legislation on simplified planning zones in the 2011 Act is gone from this proposal? And there is silence.

Section 38(1) states:

*“The following descriptions of land may not be included in a simplified planning zone—*

*(a) land in a conservation area;*

*(b) land in an area which is—*

*(i) designated as a National Park ...*

*(ii) designated as an area of outstanding natural beauty ...*

*(iii) declared to be an area of special scientific interest”,*

and so on and so forth.

Here we have legislation proposed by the DUP and Sinn Féin in which they say that they rely on the model in the 2011 Act, but it is not the model in the 2011 Act. It looks like the model in the 2011 Act, but it is not, because the model in the 2011 Act, expressed through section 38, excludes certain descriptions of land or development. What is that land? It is some of the most precious heritage land that we have in the North of Ireland.

What surprises me more around the point is simply this: I took legal advice last Wednesday, following the sharing of the amendments with me by the DUP and Sinn Féin, through their SpAds, on Tuesday afternoon. Twice on Wednesday evening, I spoke with our counsel, who is widely recognised as one of the best environmental barristers on these islands, and who has given good advice not just to my Department but to other Departments historically and recently.

In order to try to see wisdom prevail in the FM and the dFM over these amendments, I shared that legal advice with them this morning. I have yet to see their legal advice, whoever might have produced it and whatever it might say about the amendment. Whatever about their failure to disclose — if that is the case, and if, during the debate, that has been disclosed to me, I welcome that — I took the bull by the horns and shared my legal advice with the FM and the dFM earlier today. Therefore, having shared that legal advice, I am a little surprised that that legal advice has not percolated through the Building to the Benches opposite so that they could at least anticipate the point that the FM, the dFM, their SpAds and other people have anticipated. What does that legal advice tell me? I am going to read some of it into the record so that people will know and can go forward with their eyes wide open when it comes to this model of zone that the DUP and Sinn Féin — the FM and the dFM — are trying to impose on the Assembly. The legal advice states:

*“There are problems with the European obligation in that the proposals”*

— that is, the FM and dFM proposals —

*“envisage that planning permission will be granted by the designation of an ESPZ for whatever is specified in the scheme.”*

In connection with the lack of exclusion of designated areas, the legal advice states:

*“There is no exception made for sites designated pursuant to the wild birds directive, special protection areas or habitats directive.”*

What did we spend last week discussing in the Chamber? What will we spend Thursday discussing at the Executive meeting? We will discuss what happens with the A5 moneys. What was the problem with the A5 moneys? I might not necessarily agree with the court, but it decided that there had been some breach or otherwise of the habitats directive. Therefore, we have been warned by the courts about the conduct of government when it comes to assessments to do with the habitats directive and the wild birds directive. But what do the FM and dFM decide? They decide to bring forward an amendment that excludes the relevant clause from simplified planning zones. The consequence of that, as my legal opinion states, is that no

exception is made for sites in their proposal designated pursuant to the wild birds directive or habitats directive, which have the protection of articles 6(3) and 6(4) of the habitats directive.

Those matters, my legal opinion advises, were recently emphasised by what? By the Alternative A5 Alliance case 2013 and the decision of the Court of Justice of the European Union in *Peter Sweetman and Others v An Bord Pleanála*, which states:

*“since those provisions prohibit the grant of consent unless there are no likely significant effects caused to the designated site by the development or, following an appropriate assessment, it is found that there will be no adverse effect on the integrity of the site. Article 13A(2) would be in breach of the directive since it could grant consent for a Natura 2000 site without any of the protections required, and thus grant consent in breach of article 6(3).”*

The legal opinion adds that that would expose DOE to challenge to the legality of the provision and expose the UK to infraction proceedings by the Commission. It continues:

*“In our view, the proposals would fail the legislative competence requirements of section 6 of the Northern Ireland Act since section 6(2)(d) would apply as the draft currently stands.”*

I could read more because it goes on more about how that amendment tabled by the DUP and Sinn Féin is, as it stands, in breach of European requirements and Convention requirements, and of our own domestic law in the Northern Ireland Act 1998.

**Mrs D Kelly:** Would the Minister be surprised to learn that some are already referring to this Planning Bill as a special powers Act?

**Mr Attwood:** I do not know what people are referring to it as, because I have been in the Chamber all day. However, if the political point being made is that at a certain time in our history another Government in this part of the world took onto itself disproportionate powers that were hostile to public policy and the public interest, given the history of this part of the world in respect of special powers legislation, that seems to me to be at least arguably accurate.

Mr Hamilton made his defence of that particular piece of legislation. He did not state or did not know that parts of the 2011 legislation were not included and that I shared legal advice with FM and dFM and all Executive Ministers in a paper circulated before the debate today. As things stand, that is the advice that I rely on. It may be that others got legal advice; I cannot imagine that they did not get any legal advice. However, I would like to test the advice of others against the advice that I have, and we will see where all that ends up.

Mr Wells made a series of thoughtful and decisive interventions. They are worth reading if people did not hear them because they challenged the amendment and the opposition to it. That was a balanced approach because, given his background, I can understand why he would want to assess these matters.

**Mr Wells:** Will the Member give way?

**Mr Attwood:** I will in a second. He made a point that deserves an answer: if the law has simplified planning zones, why do we not avail ourselves of them? That is a fair point. It so happens that we have had simplified planning zones in one shape or another for 20 years and have not availed ourselves of them. Whatever my accountability for the past couple of years — and I will give accountability for the past couple of years — they existed in legislation before the 2011 Act, and they were not taken forward.

There may be many reasons for that. If you look at the experience in Britain of taking forward simplified planning zones or their equivalent legislative vehicle over there, you see that they do not take them forward very much either. If there is a place where they have been taken forward with a bit more enthusiasm, it is, as Mr Hamilton pointed out, in Dublin, for example with the Dublin Docklands Development Authority. Therefore, it is, certainly, a fair question to ask why simplified planning zones should or should not be taken forward, as long as people are fair in saying that we had them before and nobody used them, or did not use them very much, even though they were part of the “legislative armoury”, which is the language that Mr Hamilton used, of this part of the world for the past 20 years. I do not resist using legislative mechanisms that we have and that might not have been used before.

**9.45 pm**

A developer on the north coast had a completion order process served upon him. A third-party financial interest came in to clear up the site, or, at least, most of it. We had been in contact with the agent for the third-party financial interest to say that there was still 20% to be done and to get round to it. Urgent works notices were not deployed in this part of the world for nearly 40 years. There have been more deployed and more threats of their being deployed in the past two years than in the previous 40 years. In the past couple of weeks, we demonstrated that, in actions that have been taken in respect of a waste company in the north-west and mechanisms that were not used previously regarding enforcement policy and practice against environmental vandals. In my view, and subject to what the courts might or might not discover in due course if the matter goes to court, we demonstrated that.

Recently, I had a seminar with building control staff from all the councils, saying that they have mechanisms in use, through pollution control orders and improvement Acts, to enforce against those who let sites go to ruin or where there are health and safety risks in each council area. I do not dispute that there are mechanisms that could be used, and used more. They might even be simplified planning zones, even though the ambition is that those will go to councils. However, as I indicated in the debate on the previous group of amendments, given the scale of what we are trying to drive forward with planning reform and change, the devolution of planning and all the rest of it, we have concentrated our efforts in other places. Perhaps, we should concentrate our efforts on this. If we are concentrating our efforts on simplified planning zones, let us do it correctly under European and domestic law. Let us not do it wrongly, as proposed in this particular amendment and the politics behind it, which I intend to deal with shortly.

I will give way to Mr Wells.

**Mr Wells:** First, the reason why I have raised so many questions is that, as I said earlier, apart from the Marriage (Same Sex Couples) Bill, this particular piece of legislation has attracted more e-mails, letters and phone calls than any other subject. That was before many people knew about the more dramatic changes that were introduced by OFMDFM. Therefore, I felt duty bound to reflect the concerns that I have heard. I have to say that some of those concerns were answered very well. Some have not been answered as clearly.

The Minister's argument would be stronger if there were a clear track record of using simplified planning zones in Northern Ireland to produce real results. What he has told us is that, in fact, that legislation has been on the books for 40 years and has never been used. On top of that, there is also the concern that the strategic planning section of DOE's Planning Service, as it was, was meant to be the panacea to deal with that. Mr Hamilton and I quoted two very concrete examples — Downe Hospital and Down High School — where the system worked really well to produce a brand new hospital and permission for a school in record time. However, clearly, the impetus for amendment No 20 is that there is still concern that there are far too many projects out there that were never given the benefit of a simplified planning zone or were never properly handled by the strategic planning unit and are still sitting, festering away, with no decision. Exasperation with the performance of his Department has led to the situation.

**Mr Attwood:** To be fair to FM and dFM, I did not pick up any exasperation with the Department's performance in the past couple of years. There may have been historical exasperation. There may still be a need to deal with the causes of exasperation. However, I think that the narrative of the past couple of years suggests, as I indicated earlier, that corners have been turned.

Strategic planning, Mr Wells, is responsible for article 31 applications. If there is any family of applications that might indicate and give opportunities for Members of the House, including Ministers, to tell the development world about where the nature of planning is now, article 31 applications and the strategic planning teams who are responsible for them demonstrate that. How? Decisions have been issued for 75% of the article 31 applications that I inherited.

Why? Because the new article 31 applications that have come in over the past two years — there are fewer of them because of the economic circumstances — are, by and large, being handled in six months or less. That is why there have been decisions in respect of Narrow Water, Windsor Park, the movement of the Balmoral show to Maze/Long Kesh, the Maze/Long Kesh proposal itself, and the police college. So, if people want evidence of where the planning system is and of where strategic planning is, there is good evidence that you can rely on and advocate. Does that mean that strategic planning has got everything right? No.

As I have indicated on a number of occasions, although there is now good authority in the Department around decisions in respect of individual wind turbines, we need to show more authority around decisions in respect of individual wind farms, for which there are over 30 applications still in the system. I have some frustrations about how those are being managed, and I think that there are opportunities to take them forward, while recognising that community opposition, resistance and concern about

wind farms is growing. So, if you want evidence, there is evidence beyond the examples that Mr Wells talked about and the one that Mr Boylan talked about, DMAC, which I will come back to shortly.

I now turn to the issues raised by Mr Boylan. As I said, he was not as valiant in his efforts to defend the legislation as his colleague in the DUP. I would like to make some points in response to the issues that he raised. The first point was that I should work with the FM and DFM. I could probably work better with a lot of people, including those around me, but I will put that aside for a moment. This goes back to Mr Allister's comments about whispers. The first time I got any sense at any time that there was anything happening was when I was invited to join a conversation with the FM and DFM about four or five weeks ago. That conversation, for which Mr McDevitt was present for part of, dealt with dealing with the past and the potential chair. They then asked to speak to me about planning; that is what I was told. In that conversation — I hope that I am not breaching some ministerial code on ministerial conversations —

**Mr McDevitt:** I was present; it is OK.

**Mr Attwood:** No; you were present for that bit, but you were not present for this. I might be in breach. If I am, I apologise. Given that the point has been raised, I think that I should confirm the situation.

We had a conversation primarily about judicial reviews. I said to them — I believe this to be the case — that the issue is not that there are many applications for JRs. In tomorrow's debate, I will confirm the number of JR applications, which have been presented as a huge impediment and as sending out a bad message about the planning system in the North. There were 13,000 planning decisions made last year, and there were four or five judicial reviews. Most of those were not taken by the development community; they were taken by me in challenging the Planning Appeals Commission and by the National Trust in challenging me on the Runkerry decision. There were four or five cases where ordinary citizens went to court and said that they did not think that public policy was conducted properly when it came to the planning process. We had a big conversation about that and about how it could be improved.

In my view, without trying to interfere with judicial independence, I think that there are issues with how judicial reviews are handled on the far side of leave being granted. That is not a legislative matter, and it is not the Executive's function to address it. The Lord Chief Justice and the senior bench have the rightful authority to do that. We had that conversation, and, in passing, we touched on other planning matters. That was the height of our conversation.

The next time I became aware of anything developing was on Tuesday, when my Department was contacted, and a conversation arose between SpAds. Following that, I saw a draft. I then met the FM and DFM at lunchtime on Wednesday and explained, as I have today but probably in less detail, my view on these clauses. I have been asked to work with the FM and DFM, but that is how they have worked with DOE on a significant piece of planning legislation. I do not think that John O'Dowd, as Minister of Education, would be too happy with that approach. Without getting into too much detail, because it is his responsibility, I have seen examples, be it at the

Executive table or in other places, where other Ministers have indicated that they are not happy with how some things have been handled around the Executive table. I think there should be some sympathy — and that is not, in my view, being humiliated. You might think that is being humiliated; I think that is bad politics and bad government by others when there is an opportunity for good politics and good government by us all. I do not think that is very satisfactory.

Mr Boylan made a strange comment about area plans not being fit for purpose, as if the problem with planning is area plans not being in place. There is a problem, but the answer to the issue of area plans is not to give this function to OFMDFM. The answer to dealing with area plans is to make sure that we get devolution of the development plan function to councils in 700 days and, in the meantime, contrary to what somebody might have said earlier, to prepare the councils so that they hit the ground running, so that they take forward the development plan function and so that, as quickly as possible thereafter, councils are endorsing development plans, because plan-led development is the best development that we can have. That is the answer. The answer is not to give some sort of development plan — that is not actually what is being spoken about — function to OFMDFM.

Mr Boylan dismissed the intervention that has seen the protection of pharmaceutical and life science plant when it comes to other developments in industrial zones. He said that he does not believe that is the way to go about changing planning. Too right it is the way to go about changing planning. It is to say that there are added-value jobs when it comes to pharmaceuticals and life science, and that if there is a problem, and there has been a historical problem, you get it sorted. Once you get it sorted, you get more investment. Do not tell me that is not the way to go about things when it is clearly one of multiple means to go about demonstrating that planning is getting more and more fit for purpose.

I realise that I am going on, and I will now conclude. There are just two comments I want to make in concluding. The first is that the only case that has been raised in this entire debate about a failure of planning beyond the perceptions about failure of planning — and I could give you a lot more examples of failure of planning than have come out in this particular debate — but the only hard example, purportedly, has been DMAC.

**Mr Wells:** And John Lewis.

**Mr Attwood:** And John Lewis. I am delighted to deal with John Lewis. Briefly, I will not get into the issues about DMAC, as that is an ongoing matter that has historically been before enforcement and has been to planning appeals. I suggest that if you want to interrogate the file — I have, and I am not exaggerating when I say that those files are six feet high. What are the issues? Should you allow an industrial zone to be developed outside the settlement limit in Coalisland, adjacent to residential homes? That is a matter of policy and a matter of principle that will have consequence if you do not get it right.

Secondly, should you allow development there when there are alternative commercial sites not very far away, because land has been zoned and developed by INI for commercial development in that part of the world? But there is a company that thinks that is not good enough

for it, that it has some reasons of commercial confidence why it cannot move to those sites rather than to the site on which it has, and this is the third point, built without planning permission. Let us not portray a particular issue about DMAC in this simple for/against development argument; it is more complex. It is a fair point, I think, and it is a point made against me, that that matter should be decided, but let us not pretend that it is simply, "Let us have development or let us be opposed to development".

I want to conclude —

**Mr Wells:** John Lewis.

**Mr Attwood:** Let me deal with John Lewis and give you the advice I gave to a planning inquiry. I did not collapse the planning inquiry. Who collapsed the planning inquiry? It was one of the parties to the planning inquiry. If they were so sure and certain about the commercial viability of their project and about the rightness of their argument about that site in terms of planning development, then they should have exhausted that planning process. That planning process was being conducted outwith government by an independent body called the Planning Appeals Commission. If they believed in that project, and if their clients believed in that project, then they should have exhausted that process, and then we would have seen what would have happened on the far side of that.

**Mr Byrne:** Will the Minister give way?

**10.00 pm**

**Mr Attwood:** I will in a second, Joe.

The second thing is that I lodged in the Assembly Library the planning advice that I gave. Nobody has said to me that that planning information was wrong. What was that planning information? It was a deep interrogation and assessment of the impact of not only John Lewis but the 19 other stores that would have been built out at Sprucefield. What was the information? It was that the impact on every town and city within 60 minutes' travel time of Sprucefield would have been significant, if not catastrophic. Nobody, be it the developers of Sprucefield, John Lewis, anybody in the Chamber, any retail organisation or any chamber of commerce in any part of that travel zone, has said that that information was flawed or false. If that was the information, my obligation was to follow the existing planning policy when it comes to retail and comply with the RDS 2035, which says that you favour in-town and edge-of-town development over out-of-town development. In the fullness of time — I hope that it is sooner rather than later — the wisdom, for what it is worth, of that advice will be demonstrably proven to be correct. If we do not fight the battle of in-town/out-of-town development and just leave everything to go to the edge of town, which is hostile to the business model of many people, even perhaps to that of John Lewis, we will live with the consequences for a long time to come.

I give way to Mr Byrne.

**Mr Byrne:** I thank the Minister for giving way. Does he agree that only four or five major developers seem to resort to JR quite often, including on the issue of a secondary school planning application in Carrickmore?

**Mr Attwood:** As I indicated, I will read into the record tomorrow the number of JRs that we have had in Northern Ireland in each of the past three years. Although the

threshold on occasions can be low for the granting of JR on planning issues, let us not exaggerate the scale of JRs around planning.

**Mr Wells:** Will the Member give way?

**Mr Attwood:** I will.

Let us protect the principle of JR. It has been a mechanism to interrogate public policy — I will finish here, because I know that I am straying — for 40 or 50 years in this jurisdiction. The citizens and communities of this jurisdiction have had the benefit of that. Let us be very measured and wise when we start interfering with JRs, not necessarily on the planning side, because the consequence is elsewhere.

I have outlined that I have concerns about the legislative competence of this law. I know that the minds of people not very far away will be whirling. They will ask how, in advance of Further Consideration Stage, they can rectify all of that. When people, in the way in which this has been handled, have shown their hand, the credibility of these amendments has run out of steam nearly before the ink was dry. Parties in the Chamber need to recognise that they over-reached. It is beyond legal competence. Even if they try to rehabilitate the legal competence of those amendments, this is not where people want things to go.

Beyond the issue of bad law and bad politics, which I explained previously, there is an issue of good government. That has been touched on by a number of Members. It is about whether OFMDFM should assume a further significant operational responsibility. I say unambiguously that that is not good government. Why do I say that? I will give only three or four examples. Others have been touched on. There has been a review of North/South. If people want economic opportunity on this island, we should grasp the North/South economic opportunities on this island. New jobs potentially could arise by taking forward the 2006 British and Irish Governments' proposals on an all-Ireland economy and taking forward the good work that the relevant Health Ministers North and South have been doing, and so on and so forth. That is low-hanging fruit when it comes to job opportunities. It is about marketing this island more and more as an island in the global market to compete properly. Where are we with the North/South review? It was meant to start in 2007. It is now more than six years later. It may be that the next North/South Ministerial Council (NSMC) meeting in early July might tell us something more.

The DUP has been allowed to strangle the North/South review, which was a condition of the re-establishment of devolution in 2007. That review has been slowed down, it has been strangled and it has no output. The consequence of that —

**A Member:** Hear, hear.

**Mr Attwood:** Yes, you may well say "Hear, hear", but what message does that send to all those who are out of work and who might have the opportunity of more work on this island if there were more North/South opportunities?

Where have they gone with the social investment fund? In 2011, £80 million was put in the budget line for that initiative. Now, well into 2013, hardly a penny of it has been spent, so much so that, in my view, when it comes to spending that money in the next period of time, there is a danger that it could be spent on pet projects or on

any projects just to get it spent. The case is similar with a shared future.

What is the lesson of the amendment? It is that you do not give responsibility to those who do not have the operational capacity to take it, and you do not give responsibility to those who have not been too good with their own responsibilities or to those who have tabled legislation that is outwith the Assembly's competence and hostile to European requirements. Instead, you recognise the challenge to the planning system and work within it to make it better and more fit for purpose. That is the experience of the past two years, and that is what we should build on. The House should reject the amendment.

**Mr Weir:** Often, when I follow the Minister of the Environment, I am reminded of the batsman waiting in the pavilion after a very long partnership who has had the pads on for a very long time. I should perhaps at least be thankful that, in the second group, the Minister kept his remarks, by his standards, to the very epitome of brevity. If you like, he moved not so much from test-match Alex Attwood to not quite Twenty20 Alex Attwood but, perhaps, at least to limited overs Alex Attwood. I think that the House should at least be grateful for that.

A very wide range of issues have been covered in the debate. Perhaps unsurprisingly, given some of the people who contributed, a lot of it seems to have centred not on the amendment itself but on a wide-ranging attack on the evils of OFMDFM. Sometimes that was driven down to the evils of the parties in OFMDFM. It veered, at various stages, towards being quite snide towards some of the individuals who are there, and some came close to making very scurrilous accusations. Unsurprisingly, some of the parties devolved the debate down to something that was not simply critical of the Bill; they used it as a device to say that three of the parties in the Executive should fall on their swords — I think that a number of people in the back row would be quite keen to push them on to those swords — and leave the Executive. That is clearly entirely a matter for the three parties concerned.

In the wide range of matters that were pushed through this debate, even the Minister had a little jaunt toward the North/South Ministerial Council. We heard the razzle-dazzle of Basil McCrea, who found this utterly amazing. Although, to be honest, I suppose that, if you are in NI21 and you come across a policy, you would find that amazing; the surprise would be stultifying for you. Occasionally, the debate even touched on the contents of the Bill. As one of my colleague was saying, perhaps if I were to express that in Irish, NI21 would understand it a lot better. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Weir:** A range of issues have been discussed. We even had one Member who seemed to be completely confused about community planning and seemed to equate this proposal to community planning without realising that the two are completely separate.

Let us take a look at some of the issues and at the facts of what is in the proposition and not the fears or the hype that have been expressed. We have gone from potentially concreting all of Fermanagh to designating the whole of Northern Ireland as an economically significant zone. None of that has any basis in fact or reality. We have been told that this is a power grab and that it will create a new

planning authority for Northern Ireland, yet OFMDFM will not have the power to take a single decision to grant a single piece of planning permission. That power is not contained in the amendment, but that fact is not convenient for some of those who criticise it.

Similarly, we are told that it is a power grab off the DOE, yet not a single power that is currently exercised by the DOE that is affected by this proposal is taken from the Environment Minister. Article 31 determinations were mentioned. There is no interference whatsoever with article 31 determinations. Mention has been made of simplified planning zones. There is no interference with simplified planning zones. Indeed, the legislation specifically indicates that an economic planning zone cannot be on a simplified planning zone. The two are kept completely separate.

Although I appreciate the point that was being made, my colleague Mr Hamilton was misquoted to a degree about the simplified planning zones. The point is that the principle of being able to grant permission on a zone on a wide and indeed relatively unfettered basis — there are opportunities in the legislation to make it conditional — is granted by the 2011 Act. The amendment is drawn, at least in part, word for word from the simplified planning zone provision. It seems a rather contrived logic that says that we are perfectly happy for a council to give utterly unconditional approval in a particular area but the regional government cannot. That seems to me to be perverse.

As indicated, this is not a replica of simplified planning zones or enterprise zones, although facets of both are within the amendment. It is an opportunity for regional government to intervene to secure international investment and economic opportunity post 2015, when simplified planning zones will be a matter purely for local authorities. Similarly, Members have asked, “Where does democracy reside?”. It is clear where it resides. Not a single decision to grant planning permission can be taken by OFMDFM. Where does it reside? As indicated, it lies with approval by the DOE or of the House — all 108 Members giving their view. How much more democratic could you get?

Fracking has also been mentioned, and I know that some people are concerned about it. The reality is that the amendment gives a more democratic opportunity to obtain planning permission than exists at present. It is also clear that fracking is an issue that goes well beyond planning powers. For it to be approved requires a lot more than that. In the future, it will be something that may or may not be looked at.

The Minister mentioned the legal advice that he got, specifically about the power to grant assent in an area subject to, for example, the habitats directive. The reality is that the amendment does not give the power to grant a single planning application. Therefore, I do not disagree that it would clearly be legally wrong to grant permission in such circumstances, but that is not something that this planning amendment permits. Any planning application for any significant zone would have to come to either the DOE or the Assembly as a whole. Any direct application of that nature would fall foul of European law. Therefore, although the Minister may well have got an answer to a particular question, he was not asking the question that arose from the legislation.

As for people complaining about a lack of detail, I have to say that the one thing that you cannot say about the amendment is that it lacks detail. We have eight pages of detail in it. If any of that detail needs tweaking between now and Further Consideration Stage, Mr Boylan and I will be open to doing that.

Fundamentally, this is about providing an additional economic tool for Northern Ireland. It has been mentioned that there have been discussions with the Government, but our interest, above all, is in doing the best for the people of Northern Ireland. For instance, an economic conference is due to take place in October. None of this impacts on the current planning system, because, as indicated, none of the normal article 31 development control and DOE powers is affected whatsoever. However, it gives an extra economic tool to the Northern Ireland Executive. At the end of the day, the Assembly and Executive have placed economic development at the heart of the Programme for Government — economic development in very tough times and in the face of a worldwide recession. We have seen young people from across the community having to migrate because they have not had that economic opportunity.

#### 10.15 pm

We can all climb into ivory towers, as some people seem to want to do in spiteful party political attacks on the representatives of OFMDFM, and say that economic development is essentially a bad thing, which is the message that I have got from some people, or we can, as an Assembly, step up to the job and actually support economic development. There seem to be some parties and individuals in here who are very supportive of economic development, right up to the point of taking any decision or any vote that actually supports economic development. This is a tool that can be used by the Executive to further Northern Ireland, to make us more competitive and to ensure that we are fit for purpose in terms of investment. This is a clear test.

**Mr McDevitt:** *[Interruption.]*

**Mr Weir:** I see a Member who has been absent for most of the debate heckling from a sedentary position. Talk is fine, but action is what is needed. By passing the amendment, we will show commitment to our young people, commitment to investment, commitment to jobs and commitment to economic development. That is the key test for parties in the Chamber tonight. Therefore, I have not just great pleasure but great honour to say that we as an Assembly and those of us who will support the amendment have ambition for our community for the future. I urge anyone who has that similar ambition for economic investment and jobs for our young people to show their mettle tonight and vote in favour of the amendment.

*Question put, That amendment No 20 be made.*

*The Assembly divided:*

*Ayes 60; Noes 32.*

#### AYES

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch,*

*Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Anderson and Mr Boylan.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mrs McKevitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Byrne and Mr Rogers.*

*Question accordingly agreed to.*

*New clause ordered to stand part of the Bill.*

#### **10.30 pm**

**Mr Deputy Speaker:** In accordance with the Speaker's ruling earlier this evening following the receipt of a valid petition of concern in relation to amendment Nos 21 and 23, no further consideration of the Bill will take place today. The Business Committee will agree the arrangements for the rescheduled Consideration Stage when it meets tomorrow. I ask Members to take their ease for a few moments as we move to the next item of business.

*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

### **Budget (No. 2) Bill: Final Stage**

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That the Budget (No. 2) Bill [NIA 21/11-15] do now pass.*

Members will be pleased to know that I will be brief on this, and I hope that my brevity will be matched by their brevity.

The passing of the Final Stage of the Budget Bill by the House will enable Departments to continue to use resources and spend cash on public services for the remainder of the financial year. As I have said on many occasions, the Budget position is continually moving. Monitoring rounds, including the June monitoring round that will be announced next week, will amend the opening position reflected in the Bill. Looking forward, the outcome of the UK spending round, which is to be announced on Wednesday, will also have an impact on the block position. As is customary, I will bring updated legislation to the House in February 2014 to authorise the final position for this financial year.

The public expenditure issues and, indeed, many other issues around this Bill have been debated fully over the past two weeks. I do not propose to repeat them in my opening remarks tonight. I will leave that repetition, which I hope will not be too tedious, to Members. It is important to state that the provision in the Bill represents the third year of Budget 2011-15, as agreed by the previous Assembly in March 2011. Members will be aware that there have been a number of changes to the position since then and that those have been agreed by the Executive and brought before the Finance and Personnel Committee for scrutiny in advance of this debate. The Committee has agreed accelerated passage, for which I am grateful to it. Indeed, I welcome not only the accelerated passage provided for by the Committee but the scrutiny that the Committee undertakes. I expect that my officials will continue to provide financial information to the Committee in as timely a manner as possible so that it can exercise that role.

Transparency in public finances and the financial processes that underpin them is to be welcomed, and I encourage other departmental Committees to exercise a similar level of scrutiny over departmental Estimates information.

A number of Members have expressed frustration at the Bill's technical nature and its lack of transparency on the Budget position. I agree. My officials can provide summary tables that help to reconcile the Estimates and Budget figures, but the process remains opaque. That is a nuance of the current financial and legislative practices, and the review of the financial processes is an opportunity — I keep repeating this point — for the Assembly to reform those practices, which I agree are technical and difficult to grasp. I hope that we can make progress in the near future.

I will turn my attention to the remainder of this financial year and the challenges that lie ahead. We can safely say, even at this stage in the year, and indeed at most stages throughout the year, that there is demand for additional resources, and those demands are wide-ranging and worthwhile in their own right. However, we do not hold an infinite supply of money, and despite what some Members suggested in previous debates, there is no hidden pot of cash in the Department of Finance and Personnel (DFP). We are able to supplement our



Treasury allocation with additional receipts, regional rates and reinvestment and reform initiative (RRI) borrowing, but we must exercise careful management. We will have to make decisions going forward on what is a prudent level of borrowing, because that has a financial impact on resource departmental expenditure limit (DEL). Indeed, I will raise that point with Executive colleagues when we begin to think about 2015-16. In the meantime, we need to ensure that our budgets are well managed and utilised to the maximum benefit of our society. The Budget Bill shows the upper limits of spend for each Department, and those limits highlight the need for each and every Minister and public body to prudently manage the resources available to them throughout the remainder of the year.

As an Assembly, we must ensure that every penny spent on the provision of public services is spent wisely and on high-priority services. With that appeal, I will bring my remarks to a close. I hope that, as I said, the brevity of my opening speech will be matched by the brevity in speeches around the Chamber at this late hour, because I am sure that we all want to get home.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. I will be as brief as possible. As previously outlined by the Minister, the Bill makes provision for the balance of cash and resources required to reflect the departmental spending plans in the 2013-14 Main Estimates. As I indicated during the previous debate, the Committee agreed to grant accelerated passage to the Budget Bill on the basis of having been consulted appropriately on the expenditure provisions in the Bill. It is imperative that the Department meets the requirement for appropriate consultation, given the importance of the Bill progressing through the Assembly before the summer recess.

I reiterate that proactive scrutiny by statutory Committees of departmental financial forecasting and out-turn data will enable them to identify issues in real time and obtain assurances that any necessary preventative or corrective action will be taken in year. That will help to ensure that no moneys are returned to Treasury as a result of underspends beyond the thresholds agreed in the Budget exchange scheme and that retrospective action is not needed to regularise any excess spend. To facilitate that additional scrutiny, the Finance Committee is sharing with the other statutory Committees the monthly forecast out-turn data, which is co-ordinated by DFP. In addition, prior-year forecast out-turn figures for each Department will be circulated to the other Committees in sufficient time in advance of the Main Estimates, subject to those figures being provided by the Department on a timely basis. Each Committee is also encouraged to pre-schedule briefings on their Department's draft Estimates before those are collated and published by DFP centrally. That additional information and scrutiny should add value to the plenary debates on the Estimates and Budget Bills going forward.

I also explained during the Supply resolution and Second Stage debates that the Committee is taking forward work, in collaboration with the Department, to develop a memorandum of understanding on the Budget process. That should, in conjunction with other measures, help to improve the Budget and financial processes and related parliamentary scrutiny and accountability. I indeed welcome the Minister's support for the work that

is being undertaken to bring forward the memorandum of understanding. As the Assembly and DFP officials continue to develop the draft document for both parties' consideration and approval, I am confident that, in addition to providing for a regularised Budget process and more effective Assembly input, it will set out arrangements that are sufficiently balanced and flexible to enable the Executive's budgetary timetables to be met.

This development offers the potential for ensuring that the Assembly and its Committees can add more value to the Budget process and that they are afforded the time and information to enable them to undertake constructive scrutiny and to exercise influence at the most appropriate stages in the process. In undertaking more effective oversight of the Executive's Budget and expenditure, the Assembly can play an important part in helping to ensure efficient and effective delivery of the Executive's strategic priorities, including the objectives in the Programme for Government, the economic strategy and the investment strategy. I look forward to the proposals coming to the Committee and to the wider Assembly in due course.

Finally, in terms of the Committee's forward planning, it would be helpful if the Minister could provide an update on the expected areas of focus for the Whitehall spending review 2013 and the implications that those might have for the Executive's Budget in 2015-16. Moreover, perhaps the Minister could also indicate what the likely time frame is for any local Budget process in that regard and, indeed, whether any consideration is being given at this stage to reviewing departmental budgets for 2014-15. Although that would inform our planning going forward, in the meantime, in terms of the business before us today, on behalf of the Committee, I support the motion.

**Mr Girvan:** I will speak in favour of the motion on the Final Stage of the Budget Bill. The Minister alluded to some points, and he asked for no repetition. There used to be programme on TV called 'Just a Minute', where hesitation, repetition and deviation were not allowed. So, I think that we need to be very careful that we do not do any of that.

I support the Bill. I appreciate that the Committee has gone through quite a few meetings on this matter. In doing so, it came out that some Departments are not necessarily giving us a full breakdown of their total spend. I understand that that creates some difficulties at some stages. However, it is important to move ahead here this evening and to allow Departments to make their spends for the rest of the financial year. In doing so, I appreciate that we are working with a Budget that is decreasing through the cuts that the Westminster Government have made to the block grant.

The Departments here have had to manage with a reducing Budget over the past number of years and have managed to do that very well. I will put on record that there are Departments that have managed to make their full spend and did not have to hand back excess amounts of money late in the day. I appreciate that we will have our spending reviews coming forward in June, and, at that stage, it will be possible to see where we stand with all the moneys that are allocated. Should we need to make adjustments, doing so early in the financial year is very important.

So, we support the Bill. We will keep it brief, which I think is helpful. Members have had an opportunity to debate most

of this at the earlier stages, and I appreciate that we are just going back over what has already been agreed.

**Mr Byrne:** Mr Bradley cannot be here this evening, so I am entrusted with deliberating on his behalf. Although I am conscious of the overall budgetary constraints that face the Executive, we on this side of the House have always called for a more imaginative deployment of the economic and financial resources that are at our disposal. This is more than just demanding more money for certain existing programmes; it is about identifying and then investing in the areas of the economy where government intervention can yield the highest returns.

Although we have a small regional economy and do not have the power to alter the prevailing economic forces in the global economy, we do have the ability to build on our own inherent strengths and to leverage those areas that are substantially under our own control.

This is what makes public expenditure such a vital economic lever in the North. Last week, the Minister referred to the contribution that public capital expenditure is making to the construction industry. I think that we all recognise that and very much appreciate it.

#### 10.45 pm

That is why we should invest more heavily in the success of our agrifood sector and in tourism. Those are two sectors in which there is very good potential, and it is substantially in our own hands as to how good our product offerings are and how competitive they can be. The Agri-Food Strategy Board is seeking £250 million for farm business improvement over the next three years. Hopefully that can be realised, if there is the right focus on it in the Department.

In particular, I want to commend to the Minister and the House the whole area of heritage-led investment. Heritage, built and natural, is a critical aspect of our tourism offering. It features strongly in our priority tourism signature projects and is a big part of what makes the North of Ireland an interesting, absorbing and unique place to visit. The Ulster American Folk Park in my constituency is a vital tourist attraction in my part of the world, and I hope that it gets capital investment to develop further.

We have a tremendous array of heritage assets, although many have not been developed or presented optimally, while others have been neglected and fallen into dereliction. We risk losing them all together, yet those assets can be of economic benefit in the development of our economy. I want to mention in particular Herdmans' Mill in Sion Mills, which could act as a very good industrial heritage centre.

Those matters were recognised by Arlene Foster when she had ministerial responsibility for our main heritage assets. In 2009, she established the Historic Environment Strategic Forum (HESF) to address some of those issues. Subsequently, her successor in that office, my colleague Alex Attwood, commissioned a study into the economic value of heritage through the HESF. Last year, the consultants reported, in their 'Study of the Economic Value of Northern Ireland's Historic Environment', that the sector contributed an estimated £532 million to our economy and sustained around 10,000 jobs. Importantly, the study concluded that although the historic environment

contributed significantly to the economy, there is scope for that to increase considerably.

As a proportion of value added per capita, analysis shows that Northern Ireland has some catching-up to do when compared with Scotland, Wales and the Republic of Ireland. The consultants also found that every £1 of public expenditure on heritage generated between £3 and £4 of private investment, which is a very solid multiplier. Although in that case the multiplier is an estimate, Northern Ireland Environment Agency (NIEA) research, based on data from the Department's listed-building grant scheme, found that every £1 of Department of the Environment (DOE) money invested produced £7.60 in private investment. Not surprisingly, the experts' study recommended that the Executive drive a proactive strategy for the economic development of the historic built environment.

None of this is soft and sentimental. It is hard economics and finance. That is why no less a hard-nosed financier than the Minister's own Assembly Private Secretary, Simon Hamilton, once in possession of that research, brought it straight to the Chamber and got Assembly support for a motion calling for greater priority for heritage-led development. If, as is suggested, the Minister finds himself doing fewer jobs in the future and is succeeded by Mr Hamilton, we should have genuine support for heritage-led development from those who hold the Executive's purse strings.

The Minister knows well the potential of our built heritage in the Carrickfergus area, where de Courcy's castle requires a new roof. He will also be aware of the enormous scope for Northern Ireland to leverage the heritage offerings around St Patrick. It would be remiss of me not to mention Armagh city, the ecclesiastical capital of Ireland, where there is huge scope for heritage-led development and where assistance for the major regeneration of the old prison on the historic Mall would be hugely beneficial.

I could go on, but it is late at night. All that I will say is that there are opportunities for stronger investment potential from some of our capital expenditure.

**Mr Cree:** This Bill will authorise £8.271 billion from the Northern Ireland Consolidated Fund and a further £8.558 billion for use by the Departments and other bodies. At Second Stage, the Minister made the point that it can be hard to translate the figures into real-world public services, though it is essential that the legislation is passed so that money may be expended. Indeed, he repeated that this evening, and he is right. That is why we did so much work on the review of the financial process: to make things easier to understand; provide direct read-across; and be more accountable to scrutiny by Committees and the public at large. After all, it is public money.

Despite being approved by the Committee for Finance and Personnel, the Minister and this House, final clearance has not been given by the Executive. We understand that the Minister of Education has withheld his agreement and, therefore, has a veto in progress. The Minister told us earlier this month that he discussed the matter with his recalcitrant colleague, but without success. Enough is enough. When will the Executive act to improve this clumsy system that we are all still labouring with and that is a barrier to effective parliamentary scrutiny?

The Ulster Unionist Party will not attempt to block the Bill's progress today, but there are still areas of concern that need clarity. First, we were told by the chair of the Maze/Long Kesh Development Corporation that some £20 million has been agreed to construct two major roads linking the new Balmoral show site to the motorway network. Can the Minister confirm that the Budget figure of £8.75 million includes those road costs?

With respect to the historical institutional abuse inquiry, does the Budget have an allocation for 2013-14? There is potentially a substantial outlay in that area, and again, we must have clarity.

We are also aware that the Welfare Reform Act is imminent, but I have not yet identified any provision for costs to the Northern Ireland Assembly in the Budget figures. Again, I would appreciate the Minister's advice in this regard.

I also note that, in the financial year 2012-13, there was an overcommitment. Will the Minister advise what the actual out-turn position was and the amounts carried forward under the Budget exchange scheme?

The First and deputy First Minister recently announced the Together: Building a United Community strategy. Although there has been much talk about its likely cost, no moneys have been included in the Budget. I raised the matter at the Main Estimates stage but was not favoured with a reply on that occasion.

That brings me to the economic pact as announced recently by the First and deputy First Minister and the Prime Minister. It gives the Executive an additional £100 million in capital borrowing powers to, I assume, take forward some of the projects contained in the Together: Building a United Community strategy. Perhaps the Finance Minister could be more prescriptive about the nature of those extra borrowing powers.

That economic pact also made a number of other rather vague promises of action in other areas, and I will mention just a few. First is access for Northern Ireland to the infrastructure guarantee scheme. Perhaps the Minister could confirm what the eligibility for our businesses are at present to that scheme and how that criteria will change in light of the announcement.

Secondly, there is to be a substantial programme of work to examine the unlocking of the financial potential of Belfast port. I am sure that Members would appreciate information on what that programme of work will entail and, indeed, whether that will have any effect on the Budget for next year.

Lastly, in the pact, there is a commitment to examine the potential for devolving additional fiscal powers to Northern Ireland. Given that, at times, the Finance Minister appeared less than enthusiastic about the devolution of corporation tax, I am interested in what his ambitions are for this particular commitment and in how he feels that it may impact on future Budgets.

I look forward to the Minister's response in due course.

**Mrs Cochrane:** I, too, welcome the opportunity to speak at Final Stage. I will keep my comments short. Most points have been covered. We live in a very challenging financial climate, and it is vital that every pound that we spend is spent efficiently. Collaboration between Departments is imperative, and we must continue to focus on early

intervention and prevention to produce savings. However, we must not focus on our public sector spending only; we should also focus on the importance of supporting our private sector, given that it is the wealth-creating and job-creating element of our society. We must also strive to have measures in place to assist its growth.

Most importantly, we need to tackle division in our society, not just for social reasons but for sound financial and economic reasons. As I said before in the Chamber, I welcome the fact that other parties have finally come round to the Alliance Party's way of thinking. Some might even say that we have been leading change. The 'Together: Building a United Community' document is a step in the right direction, but shared-future sound bites are worth nothing unless serious and achievable targets are in place. There are financial implications related to the document and, although we have been told that detailed costing are being worked out, I remain concerned that they have not been fully thought through and may place further demands on our Budget without actually producing adequate results, but that remains to be seen.

I welcome the fact that future-proofing for all shared future policy and spending commitments has been recognised, and that will assist in effective budgeting and spending in Northern Ireland. That, along with improvements in the financial process, should help us as Members to better scrutinise our public spending as we go forward and ensure that it is not wasted on maintaining division. I support the Bill.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a LeasCheann Comhairle. I speak initially as Chair of the Committee for Enterprise, Trade and Investment. When I spoke in the debate on the Main Estimates on 11 June, I said that the Committee for Enterprise, Trade and Investment always tried to ensure that Invest NI was adequately resourced to meet future demands as we work to rebalance and rebuild the economy. It is encouraging to see a considerable upturn in Invest NI's activity, which is reflected in the resource bid in the June monitoring round to cover expected pressures from the increased selective financial assistance, and I hope that the Minister will be able to support that. Some of those funds have been very useful in supporting the growth of small business in the North and projects for research and development.

Although the Minister of Finance informed the Committee in the past that appropriate funding will be made to Invest NI to cover new inward investment, it is essential that Invest NI can proceed with certainty when pursuing and negotiating competitive and sometimes sensitive foreign direct investment (FDI) opportunities. I hope that the Minister can provide assurances to the House that the Budget allocation to Invest NI is such that the organisation can proceed with a high level of certainty that funding will be available to cover existing commitments, the potential for growth, and cater for any form of optimistic new levels of investment.

I will now speak as a constituency MLA and as the SDLP's spokesperson for the economy. This process offers us an opportunity to determine the direction of an economy, even one as small and as regional as our own. The question is this: what economic pathway is being pursued by the Executive? We face a future framed by recession and beset with cuts disguised as austerity measures. However,

in the midst of all that, there are opportunities, and I have outlined some of them.

I speak as an MLA and as Chair of the all-party Assembly working group on construction. Indeed, there has been discussion of late on the readiness of various construction projects to avail of funding. Even though projects are shovel ready, other issues come into play, as is the case with the provision of the policing and emergency services college at Desertcreat. I had a short chat today about the necessity to ensure that the construction industry is best protected. All major projects can be protected by a simple measure — not by investment — through the introduction of project bank accounts. Given some of the nervousness expressed already around the project, that would be vital for such a major project to ensure that it goes ahead and gives optimism and confidence to the community and, at the same time, protect the interests of those small businesses, suppliers and services that need protection at this time, as many of them are vulnerable and susceptible to be preyed on by some people who use them, frankly, as a supplementary bank.

The point must be made that the construction industry is crying out for those shovel-ready projects on roads or other things. The diversion of funding from the consequence of the delay on the A5 project, if that is what it is, gives rise to the potential for other new roads projects. Some Executive Ministers may prefer the likes of newbuild schools or health estate projects.

#### 11.00 pm

At this point, I have to mention the long-awaited Magherafelt bypass, which has been sidelined in the Executive. The glimmer of light that emerged during the recent Assembly debate on the reallocation of the A5 funding appears to have been snuffed out through the vote in this Chamber when some Members who spoke out of the corner of their mouths to assert support for it did quite the opposite. Nevertheless, questions remain about whether deliberations around adjustments in finances will now lead to something tangible happening on the site at Desertcreat and on the likes of the Magherafelt bypass. That would do a lot to consolidate the position of many small firms and suppliers right across the North. Likewise, it would give some of our young people a bit of hope.

On the subject of the construction industry, last time around, some £15 million was handed back from the social housing budget. Social housing is a proven great investment. Not only does it provide the necessary element, which is a roof over people's heads — in the difficult circumstances resulting from the recession, many people are now in a position where they need such housing — but it provides tangible employment in our community.

There is a similar opportunity in retrofitting homes in the public and private sectors. I have to emphasise again — the Minister has heard this before, but it is helpful to hear it again — the requirements in the green new deal. That project was thrown out without the good elements being worked on to ensure that, in essence, we were saving fuel for people in fuel poverty, we were creating jobs and we were helping the environment. Believe it or not, that was an investment to save. It was helping to prevent people, particularly those suffering from fuel poverty related

illnesses, from being admitted to hospital. Those are very significant and substantial bills.

On a final point on the green issue, tremendous potential may arise from the new green investment bank for construction projects. With some support and a little nudge from the respective Departments, we could see coming to the fore a variety of projects that could give a huge injection to employment, hope to our young people, and, through the likes of the green new deal and the green investment bank, help for our environment. That is one of those circumstances where you can actually spend to save.

The Minister and the rest of the Executive should seize those opportunities as they present themselves to maximise the potential of a variety of schemes and help to set out a path for the rest of our economy. Go raibh míle maith agat as do chuid ama, agus gabhaim buíochas leis an Aire chomh maith.

**Mr Wilson:** I thank Members for their contributions to what has been a fairly short debate, thankfully, at this Final Stage of the Budget Bill. Of course, it is not the case that there has not been significant discussion on the Budget. As the Chairman pointed out, there was a lot of debate at Committee level, and officials were brought along to explain the detail of the Estimates. We had two substantial debates in the Chamber on the Bill, when many of the points that have been raised by Members tonight were discussed. Nevertheless, I think that it is important that Members have the opportunity to make some points.

A number of Members, including the Chairman of the Committee, Mr Girvan and Mr Cree, talked about the importance of the scrutiny of the Budget. I have said time and again that I have absolutely no difficulty with Budgets being scrutinised. If our aim and objective is to ensure that funds that are made available to Departments are used most effectively, that requires scrutiny. That can be the scrutiny that the Chairman spoke about whereby Committees, at an early stage, on a month-to-month basis, look at the monthly forecast data that is available to them before the Estimates come to the Finance Committee, which then publishes them; or scrutiny at Finance Committee level or here in the Assembly. All of that is important. Of course, the more transparent the process, the better. I share Mr Cree's frustration on this. He expresses it every time he speaks on the issue, and he is quite right. I do not even mind that repetition, because if it finally gets through to those who are holding back the financial processes legislation that we have to bring through the Assembly, that will be a good job well done.

I have said on many occasions that we have sought to reach accommodation with the Minister for Regional Development and the Minister of Education, who were opposed to this. However, the one thing that I will resist and on which there can be no compromise is what seems to be a sticking point with the Education Minister, namely that where there are reduced requirements, the Minister should make up his mind what happens to those. If money that the Assembly voted to be spent in a certain way is not going to be spent in that way, it should be returned for the Assembly and Executive to decide on what direction it should go, otherwise you have financial anarchy.

The Chairman and Mr Cree also raised the issue of the review of public spending — the spending round outcome

— which will be announced on Wednesday. I know that I have good relations with the Chief Secretary to the Treasury, but even he does not share in advance with me that kind of information. We will be made aware of it on Wednesday. What we do know, and all the indications are, is that there will be further tightening of resource money and loosening of the money that is available for capital spending.

We will not know the exact implications for Northern Ireland until Wednesday. However, I will write to Executive colleagues and the Committee to inform them of the outcome as soon as it is known. Once the Executive then agree a timetable for the local Budget process, that will be communicated to the Committee. So, I cannot give either of the two Members any further information on that.

I am glad that Mr Byrne replaced Mr Bradley, who is not in the Chamber, because his speech was considerably shorter than Mr Bradley's speeches usually are. So, we can at least be happy that, for whatever reason, Mr Bradley was not here tonight and Mr Byrne spoke on his behalf. He made a point that sounded like something from one of Mr Bradley's speeches, namely that we need more imaginative use of the Budget. I am still waiting to hear practical suggestions as to what more imaginative use the SDLP wishes to see of the Budget.

He talked at length, and quite rightly, about the potential of tourism. However, look at the imagination that the Executive have shown in relation to tourism spend in Northern Ireland, such as on infrastructure with the Titanic signature project, the Giant's Causeway centre or, in future, the Gobbins cliff path in my constituency, which, it is said, will be as attractive as the Giant's Causeway, bringing more tourists along the Antrim coast.

Money has also been spent on promoting Northern Ireland to bring people in. Huge investment has gone into the City of Culture in Londonderry and into the Irish Open, which brought people to the north coast — to your constituency, Mr Deputy Speaker. There is the money going into the World Police and Fire Games. Those are all imaginative ways in which the Executive have committed funding for tourist projects, and of course into things such as museums, etc. In all that we have already proven that when we identify a market, we will use public money to try to pump-prime that market.

Mr Cree raised a number of points, one of which was his desire to see the Maze project forwarded. He hoped that there would be money to provide greater access. I thought that the Ulster Unionist Party stance on that was that it did not want anybody to go near the place.

I thought it was against it. Actually, he wants roads into it so that people can get in and enjoy the economic benefits that can be released from that vast site: the thousands of jobs; the opportunities for the development of agricultural research and agriculture-related activities; and the tourist activities and, indeed, the heritage activities in the museum, which celebrates our contribution in the Second World War. I am glad to see that, at least, there is no unanimity in the ranks of the Ulster Unionist Party on the Maze project and that some people see that it has benefits and actually want to find ways to spend money to get more people to go there instead of putting people off with all the negative stories that we normally get from them.

**Mr Cree:** Will the Minister give way?

**Mr Wilson:** Well, I suppose that, since I mentioned him, I had better give way.

**Mr Cree:** In case there is any confusion, I was just trying to find out where the money was.

**Mr Wilson:** Money has been allocated to the Maze project. It is up to the corporation to decide how that money will be spent. The one thing that we know, the one thing that it has said and, indeed, the one thing it has been successful with so far, is that it has put an infrastructure in place that has already attracted tens of thousands of people to the site this summer when they went to the first agricultural show on the site. Of course, that is an indication of the potential for that site in the longer run.

Mr Cree also raised the issue of overcommitment and some other issues. I could, probably, give him answers on some of them, but, as they will all be contained in the statement on the June monitoring round, I would probably get in trouble with the Executive, much as I would love to give him answers on some of those issues now. He will have to wait for a week or two to get answers to questions on the overcommitment, how much money we carry through on the budget exchange scheme and some of the issues around the Belfast port, such as how much money was meant to come from that.

The Member raised the issue of fiscal powers. Again, it is not an issue in the Budget, but I have made my position clear: as far as the devolution of fiscal powers is concerned, if there is a good, strong economic case for devolving fiscal powers to Northern Ireland, of course, I will support it, and I will push it with the Treasury. If there is not, I do not believe in the general devolution of fiscal powers. Indeed, I agree with Vince Cable, who, the other day, commented that the general devolution of more fiscal and tax-raising powers to devolved Administrations across the United Kingdom would weaken the Union. I believe that it would have that effect, as well as not being economically advantageous either. Of course, if you are dependent on the Exchequer, as Northern Ireland is, why would you seek greater autonomy? The one thing that you can be sure of is that that autonomy will not be to your advantage in the long run.

Ms Cochrane talked about the importance of the shared future and the need to spend money on it. Of course, the First Minister and deputy First Minister have already made announcements on that. Contained in the Budget is the ability for them to spend money on some of those projects. The economic pact enables them to draw down further resources for that. Where there are schemes, there are opportunities in monitoring rounds throughout the year. A number of Members have mentioned schemes that have not been funded in the Budget because the cost is not known. As I said at the very start of my speech, the Budget is not a fixed document. There will be changes to it throughout the year, and opportunities will arise for bids to be made as projects become available.

Mr McGlone raised the issue of Invest Northern Ireland being adequately resourced. As far as I am aware, in all of the time that I have been Finance Minister, there has never been a complaint that, when Invest Northern Ireland needed money, it was not made available to it. In fact, I remember that one of my first actions as Finance Minister was a unbudgeted commitment to Invest Northern Ireland for the now very successful investment in

carbon technology at Bombardier. We actually top-sliced Departments' budgets to make sure that we met that. Of course, that has paid off handsomely in the form of jobs in that important sector of aircraft production.

### 11.15 pm

Mr McGlone asked for assurances that there would be resources for the organisation to proceed and to take up the opportunities that appear to be coming now from increased foreign direct investment. The Minister of Enterprise, Trade and Investment will, no doubt, make bids in the monitoring rounds, and, given the priority that we have attached to the growth of jobs and to the economy, those bids will be honoured.

The Member also raised the issue of the Magherafelt bypass. He talked about Members speaking out of the side of their mouth, but I am not too sure which Members he was referring to. I have actually met Magherafelt District Council and discussed the issue with it at length. I want to make this clear to him: of course we want to proceed with road schemes, especially important ones such as this, if the money can be spent this year. However, the fact is that the land in Magherafelt has not even been vested. Of course, the procurement exercise would then have to be gone through. That being the case, the money cannot be spent this year. Therefore there is no point in asking for money to be put in the Budget for the Magherafelt bypass scheme when that scheme cannot spend a penny this year. He knows as well as I do that we cannot carry the money forward, so why would you make commitments to spend money on something when, at an early stage, you know that it cannot be done?

**Mr McGlone:** Thanks very much for giving way, Minister. I hear exactly what you are saying about the money being available for this year. I am aware of those issues. Is that a commitment that, subject to those issues being addressed, the money will be available as soon as possible for that scheme?

**Mr Wilson:** All that I can make commitments on is the money that is available this year. In fact, I think that he would be the first to criticise if I were to say that, despite the fact that we do not know what money will be available next year, despite the fact that we do not know what demands will there be on the Budget next year and despite the fact that I do not know the mind of the Executive, including his own Minister, when it comes to these decisions, I will give an assurance to the Assembly that money will be spent in a certain way next year, even though we do not know what money we will have, what demands will materialise and what decisions the Executive will take.

All that I can say is that, if there are capital projects that are ready to run and have high priority, they will, of course, feature heavily in any discussions in the Executive. However, let me make this clear: anyone who suggests that, somehow or other, there is a scheme that is ready to go in Magherafelt and that it has been denied money either by me as Finance Minister or by the Executive is absolutely wrong. Money cannot be spent on the Magherafelt bypass this year. The Member knows it, I know it, and everyone else who is involved in the decision-making process knows it. Unfortunately, that is the way that some Members play politics. They suggest that certain things could happen when they know full well that they cannot. Nevertheless, they try to make an issue of it.

**Mr McGlone:** Will the Minister give way?

**Mr Wilson:** No. I have dealt with the Magherafelt bypass.

This is not really a Budget issue, but I agree with the Member that the greater use of project bank accounts on public construction contracts where there is a substantial element of subcontracting ought to be the norm. It safeguards subcontractors from main contractors who use them like a bank, and it safeguards them against main contractors who are perhaps in a shaky financial position. Payments are made to the main contractors, but, if they go into administration, the money does not get paid to the subcontractors. I, therefore, encourage all COPEs to use project bank accounts more often. I know that some of the main contractors do not like it, because it removes some of the flexibility that they have in the timing and the amount of money they hand out. Nevertheless, in my view, it is the main way to protect the supply chain in the construction industry.

**Mr McGlone:** I would like some clarification on that please, Minister. By the way, I thank you, on behalf of the all-party working group on construction, for your co-operation in driving this on. Is there any way in which you can ensure that that is good practice right across Departments? Can you, as Minister of Finance, through CPD or otherwise, ensure that the use of project bank accounts becomes good practice across Departments?

**Mr Wilson:** We have discussed this at the procurement board, on which there is representation — usually permanent secretaries — from across the main spending Departments. We have been saying, "We want to see your COPEs using project bank accounts where that fits the criteria, where the value of projects is of over £1 million and where there is a big element of subcontracting". At the end of the day, individual COPEs will decide what kind of tenders they want to put out. We cannot direct them to do it, although I think that the Member's all-party group on construction and others can keep putting pressure on there.

That is all I want to say on this. We are now into the third year of the Budget, and we are probably turning a corner. The gloom and doom when the Budget was first introduced in March 2011 is beginning to dispel. We have managed our way through the first two years of the Budget when we were told that we would not be able to do so. There is still a need, of course, for Departments to ensure that money is spent effectively so that we get best value from the resources that we make available to Departments. I want the Assembly to ensure that every penny spent is spent effectively, and I therefore ask Members to support the Bill.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That the Budget (No. 2) Bill [NIA 21/11-15] do now pass.*

## Marriage (Same Sex Couples) Bill: Legislative Consent Motion

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That this Assembly agrees that the following provisions in the Marriage (Same Sex Couples) Bill, which relate to the treatment of same-sex marriages in Northern Ireland and gender recognition, should be considered by the UK Parliament:*

- clauses 10(3), 12, 15(1) to (3) and 16;

- paragraph 2 of schedule 2; and

- schedule 5 (as introduced in the House of Commons on 24 January 2013).

As the Assembly is aware, the main purpose of the Marriage (Same Sex Couples) Bill is to allow same-sex couples to marry either by way of a civil ceremony — that is, in a register office or approved premises — or, provided that the religious organisation concerned is in agreement, on religious premises. Although the Bill essentially relates to England and Wales, a number of the substantive provisions are stated to extend to Northern Ireland. The motion covers all Northern Ireland-related provisions bar clause 13 of and schedule 6 to the Bill. Before I speak to the provisions covered by the motion, I wish to say why I have not included clause 13 and schedule 6.

Schedule 6 allows for the making of an Order in Council that provides for marriages in overseas consulates or the marriage of service personnel overseas. On the former, I wanted to be sure that appropriate administrative arrangements would be put in place to take account of the law in Northern Ireland. However, I was unable to secure sufficient assurance in that regard. Therefore, I am not recommending that we allow that to go through in a legislative consent motion or that we allow it to be taken through Westminster on our behalf. On the latter, I believe that it is essential that suitable protections are put in place not only for members of the clergy but for other people who object to same-sex marriage because of their religious convictions. Authorised officers will not be allowed to opt out of performing same-sex marriages: I think that that is wrong. In other contexts, such as the provision of healthcare services, the Government have allowed for conscientious objections. I cannot comprehend why it has not been done in this instance. In the absence of suitable protections, I am not prepared to move a motion in respect of clause 13 and schedule 6.

I turn now to the provisions that are covered by the motion. Clause 10(3) and schedule 2 provide for how a same-sex marriage from England and Wales will be treated in Northern Ireland. Ordinarily, such a marriage will be treated as a civil partnership. However, paragraph 2(2) of schedule 2 allows for the making of an order that provides that an English or Welsh same-sex marriage is not to be treated as a civil partnership or is to be treated as a civil partnership that is subject to conditions. Such an order can be made only with the consent of the Department of Finance and Personnel (DFP). I have agreed that, where DFP consent to such an order is required, it will be given only with the consent of the Executive.

I am sure that Members will recognise the need to take account of the interface between the law in Northern

Ireland and the law in England and Wales. By providing for English and Welsh same-sex marriages to be treated as civil partnerships, we are utilising an established legal framework, namely the Civil Partnership Act 2004. We are treating those marriages — this is the important point — in the same way as we already treat overseas same-sex marriages. It would not be a defensible position if we were to recognise as a civil partnership a same-sex marriage conducted in, say, Belgium or Sweden but not one conducted in England or Wales. It would leave us vulnerable to court action.

With the introduction of same-sex marriage in England and Wales, it will be no longer necessary to end an English or Welsh marriage or civil partnership prior to the issuing of a full gender recognition certificate. Paragraph 12 of schedule 5 provides for the amendment of the Gender Recognition Act 2004 to take account of the new arrangements in England and Wales. It also amends the Act to allow for the correction of errors and applications to a court to quash the grant of a gender recognition certificate obtained by fraud.

*(Mr Speaker in the Chair)*

Very often, legislation will provide for consequential or transitional matters to be dealt with in secondary legislation. This Bill is no exception. Clause 15 allows for the making of an order dealing with consequential transitional matters, and clause 16 sets out how the orders and regulations will be made. Clause 16(6)(b) has been amended to provide that the Secretary of State or the Lord Chancellor must obtain the consent of the Department of Finance and Personnel before making an order or regulations that would amend Northern Ireland legislation that is within the competence of the Assembly. That is a change from where it was originally, where they simply were obliged to consult us; now, they require our consent. Otherwise, we would not accept a legislative consent motion in respect of that part. As I mentioned, it has been agreed that, if the order-making power is to be exercised, the Department will seek the agreement of the Executive.

I have summarised the provisions covered by the motion. Before I close, I want to say a quick word about the overall policy position. I appreciate that we all have our own views. Not everyone in the Assembly will support the policy position on same-sex marriage or the decision to treat English or Welsh same-sex marriages as civil partnerships. However, the Assembly — this is important — has rejected the option of same-sex marriage on two occasions. The Executive have clearly accepted that there is no consensus in favour of same-sex marriage and so has agreed the motion, which I commend to you. Therefore, I ask Members to do likewise and support the motion.

**11.30 pm**

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. In order to inform today's debate, the Committee for Finance and Personnel, at short notice, endeavoured to gather evidence from a representative group of stakeholders on the policy aims of the LCM. The Committee reported its findings and recommendations within the very tight time frame required, and the report was circulated to all Members and published online on 14 June.

At the outset, the Committee was mindful that, on the basis of recent debates in the Assembly, it is evident that a slight majority of elected Members here are not in favour of same-sex marriage. Therefore, until such times as that position changes and agreement is reached on policy reform, there is a need to put in place practical arrangements for same-sex married couples who move here from Britain or, indeed, from other jurisdictions. While adopting a pragmatic approach and recommending that the Minister is supported on the LCM, the Committee nonetheless has raised key concerns on which I hope to receive some assurance from the Minister today. Before going into these in more detail, I shall perhaps give Members just a few headlines at this point.

In particular, the evidence highlights the need for the implications of the proposed policy to be very carefully assessed both prior to and following implementation. Clearly, the approach being proposed will leave the North out of kilter with an increasing number of jurisdictions around the world. In European terms, aside from Britain, this will include Spain, Denmark and the Netherlands, to name but a few, with the rest of Ireland also considering legalising same-sex marriage. Indeed, it was pointed out to the Committee that the North would be the only jurisdiction west of Germany not recognising same-sex marriage.

It is also clear that the proposed policy is likely to run into legal challenge on human rights or equality grounds, and I personally believe that, ultimately, the North may be forced by the courts to move on the matter. In particular, we will have a situation where there may be an unequal regime of human rights protection here when compared with Britain. In addition, there is a possibility that the policy will be tested against our distinctive equality protections and the impact on section 75 groupings. There will also be a clear need for guidance or information to be issued in relation to the legal status and position of adoptive parents in same-sex marriages and their children, should they move from Britain to here.

Other notable issues raised were pension anomalies, the order-making powers of the Secretary of State, potential economic considerations and administrative problems for same-sex couples who have been married in Britain and have moved here. There is also a lack of clarity about why there are no provisions in the LCM for overseas marriage, and the Minister referred to that.

Perhaps it would be helpful if I gave some more detail of the evidence gathered and the issues and concerns raised. The Committee's attention was first drawn to the proposed Westminster legislation following correspondence from the Human Rights Commission in March that was forwarded to the Department. The Department informed members that the Minister was considering a request from the British Government in respect of the provisions in the Marriage (Same Sex Couples) Bill that relate to this jurisdiction. The Committee sought further clarification from DFP on the differences between the rights, benefits and entitlements of people in a civil partnership and those of people in a same-sex marriage, on how these could be impacted in cases where same-sex married couples move to the North from Britain and on whether DFP had sought any legal advice on these issues. It was not until 14 May that the Minister notified the Committee of his intention to pursue an LCM, subject to Executive approval, in respect of a number of

provisions in the Bill. The memorandum accompanying the LCM was subsequently laid in the Assembly on 24 May, at which point the matter stood referred to the Committee for reporting to the Assembly within 15 working days, as provided for in Standing Order 42A.

In the context of this time constraint, Members agreed to seek an oral briefing from departmental officials, to commission the Assembly's Research and Information Service and to invite some relevant stakeholders to provide written comment on the LCM. The Committee received a briefing from the Assembly's Research and Information Service and took initial evidence from DFP officials. Written submissions from the Church of Ireland, the Presbyterian Church, the Rainbow Project, the Equality Commission and the Human Rights Commission were also considered. Members agreed to take up offers of oral briefings from the Rainbow Project and the Human Rights Commission and to receive a final oral briefing from DFP officials. Members also noted that the NIPSA LGB&T group had indicated that it would have welcomed the opportunity to make a stakeholder submission but was unable to do so because of the time constraints arising from the LCM process.

The details of the Committee's deliberations were set out in a short informal report issued to all Members last week. I shall, however, summarise the key points now for Members' convenience and for the record. It was evident from the submissions and oral briefings that there is a lack of consensus on the principle of legislating for same-sex marriage in the North. However, it was also immediately apparent that the policy of the LCM will leave the North out on a limb in comparison with developments in other jurisdictions in relation to legislating for same-sex marriage. Nonetheless, the Committee accepts that the approach planned for the North under the LCM aligns with the current majority view in the Assembly, as expressed in recent debates on same-sex marriage, and that such regionalised policy variation on transferred matters is a natural outworking of devolution. That said, members were also mindful of the strongly held and divergent views on the issue and of the need for careful assessment of the implications of the proposed policy before and following implementation.

A key issue to emerge in the Committee's evidence gathering was a potential anomaly regarding human rights protection. Members were advised by the Human Rights Commission that it was unclear whether or not the introduction of same-sex marriage would change the current definition of marriage, as protected by the Human Rights Act 1998, and that an unequal regime of human rights protections in the different jurisdictions may be created. That may be problematic, as the Human Rights Act is designed to have equal force across the jurisdictions. This could lead to appeals and subsequent rulings in the Supreme Court that would have to be applied to the courts here. Having considered the evidence received on this point, the Committee concluded that certainty on the matter would be established only following the outcome of any future legal challenge.

Also arising from its investigation, the Committee queried the extent to which the equality implications of the LCM had been robustly examined. Members noted that the completed equality screening form initially published by DFP acknowledged that the policy would have an impact



on several of the section 75 groupings but also stated that there had been no opportunity for the customary consultation due to time constraints. I note that a revised screening form has been subsequently issued by DFP, using the updated format, but this does not appear to provide additional information, and, indeed, the reference to the absence of the customary consultation seems to have been dropped.

Related to the equality considerations is the issue of how gender reassignment cases will be handled locally. Concerns were raised by the Rainbow Project about the emotional and cost —

**Mr Wells:** Will the Member give way?

**Mr McKay:** Yes.

**Mr Wells:** The Member showed a week ago that he can stand up, speak ad lib and be clear and interesting. He is not that good when it comes to getting the head down and reading. Can we get back to the normal performance that he is so capable of?

**Mr McKay:** I thank the Member for his intervention. I ask the Member to note what time it is. It is important that I relate and put across the views of the Committee accurately, given the sensitivity of the issue, but I note the Member's concerns about my delivery.

Related to the equality considerations is the issue of how gender reassignment cases will be handled locally. Concerns were raised by the Rainbow Project about the emotional and cost burden that would fall to those in a mixed-sex marriage or civil partnership, which must be dissolved in the North for a full gender recognition certificate to be issued to a partner who wishes to change gender. The Committee believes that this issue should have been included in the equality screening exercise that has been undertaken in relation to the LCM policy. I note that this is particularly relevant because, in the Equality Commission's policy screening pro forma, "transgender" is one of the main groups identified as relevant to the section 75 category entitled "men and women generally". Because of these initial concerns, the Committee, in its report, called for a view from the Equality Commission on the Department's equality screening in advance of today's debate. That response was received last Friday afternoon and was published on the Committee web pages in time for today's debate.

In its response, the commission raises a range of issues in respect of DFP's equality screening.

These include: one, the lack of evidence gathered for the wider policy context of same-sex marriage in addition to that for the narrow focus of the LCM; two, the absence of assessment of the issues in respect of gender reassignment and pension entitlement; three, the lack of information presented on numbers in the LGBT community and in civil partnerships affected by the policy; and, four, the failure to engage with external organisations at an early stage of preparing the screening document.

The Equality Commission has also pointed out that the Department's equality scheme commits it to reviewing a screening decision if a consultee raises a concern that is based on supporting evidence. The commission has indicated that it will be advising the Department directly in relation to the screening form and its equality scheme commitments. It has also indicated that it will propose

to DFP that, as a result of screening the policy, further monitoring information should be collected to inform any potential future policy options and the potential equality impacts.

Finally, in terms of its recent communication, the Equality Commission reiterates its recommendation that:

*"civil partners should have the right to have their civil partnerships registered on religious premises in circumstances where faith groups do not object to hosting civil partnerships on their premises".*

I return to the other issues identified in the Committee's report. During the oral hearings with Department of Finance and Personnel (DFP) officials, members queried anomalies in respect of adoption — in particular, the policy difference that would arise between the position here and that for same-sex couples in England and Wales and their ability to adopt. The DFP officials were keen to emphasise that the responsibility for adoption lies with the Department of Health. However, the Committee believes that there is a practical requirement for information to be made available to ensure that the position for adoptive parents moving from Britain to here is clear, as well as the legal status of their children.

A further issue that arose from the DFP evidence was in relation to pensions. The departmental officials confirmed to members that the provisions in the Bill to amend the law on gender reassignment in England and Wales will have implications for pensions of some same-sex spouses moving to the North. However, the Department sought to assure the Committee that those differences will affect a small number of people, are a legacy from the past and will eventually cease to exist.

Members' attention was also drawn to provisions in the Bill that will give the Secretary of State order-making powers in respect of devolved areas. The Committee welcomes the clarification from departmental officials that the consent of DFP will be required to make such orders and that the proposals will also have to be agreed by the Executive. The Committee will wish to be consulted on any such proposals in the future before the Department brings them to the Executive.

Other potential issues arising from the policy of the LCM were highlighted by the representatives of the Rainbow Project. These included a potential economic impact from the North having a different policy position on same-sex marriage to Britain and potentially the rest of Ireland. In particular, it was argued that that can be a factor influencing the investment decisions of some multinational companies in terms of their human resource. The Rainbow Project also highlighted the potential administrative problems and potential punitive impacts on same-sex married couples who move to here from Britain and inadvertently declare themselves married on official documentation.

One final issue is the lack of clarity in relation to why the LCM does not cover the provisions relating to marriage overseas, as had been indicated on the accompanying memorandum. The Committee has asked for further information on communications between the Department and Whitehall on that matter, and the Minister has referred to that today.

I believe that the range of issues that have been detailed and that have arisen from the evidence, not least the most recent communication from the Equality Commission, underscores the Committee's recommendation that there should be a review of the practical and legal implications of the policy within three years of implementation.

Also, in looking ahead, as Chair of the Committee I must also point out that this exercise has highlighted a major flaw in the LCM process. This LCM contrasts with previous experience — for example, in relation to the LCM on air passenger duty — when the Committee was given early warning of the intention to bring a motion and was able to press ahead and complete a detailed and thorough evidence-gathering and scrutiny exercise in advance of the memorandum being laid and the 15-day period commencing.

#### 11.45 pm

I believe that the process will need to be refined and improved in order to ensure that the Assembly is given sufficient time to examine carefully any proposed legislation in Westminster that relates to devolved matters.

Finally, having highlighted the issues that were raised in the evidence sessions, I can confirm that the Committee recognises the need for pragmatism in this matter. In the absence of an agreed alternative, the measures that are contained in the LCM are necessary to avoid a situation in which same-sex couples who were married in England and Wales would have no legal status in the event that they move here. As such, the Committee for Finance and Personnel supports the Minister in seeking the Assembly's agreement to the legislative consent motion that is before us this evening.

I will now make a couple of brief comments on my party's position. Obviously, we do not agree with the Minister's policy position on this matter, but we support the LCM today, not because we feel that it is sufficient but because we do not wish to disenfranchise further those couples whose marriages are performed in England and Wales.

This is a rights issue, and legislation is going to be introduced in England, Wales and in Scotland. As we heard in the evidence that was given to the Committee, everywhere west of Germany, it would seem, is going to have this legislation introduced. It would be unfortunate were we to find ourselves alone in not giving these rights to same-sex couples.

A test case in this matter is inevitable. We look forward to such a case being brought, and we hope that it will be successful.

**Mr Givan:** I appreciate the Member giving way. It is interesting how Sinn Féin, having fought for "Brits out", is very much in favour of "Brits in" when it comes to this particular policy. On the legal issue, does he not agree that, ultimately, it is for the democratically elected people in this Assembly to set the law, not for judges and courts to usurp the responsibility that rests with the legislators who set the legal framework for these issues?

**Mr McKay:** I thank the Member for his intervention. It is interesting to turn that on its head and say that the DUP wants to see the current policy position in Dublin being the policy up here as well. We can all play games with that, but

we believe that this is a rights issue and that members of the LGBT community have rights.

The most concerning thing for me is the evidence that has been presented of bullying, discrimination and prejudice towards those in the LGBT community. This is an issue in the United States as well, and you find that where LGBT people have rights recognised by local legislators, incidents of discrimination, bullying and, ultimately, in many cases, suicide, are reduced. That is one of the main issues that we need to have in the back of our minds.

These rights are being introduced in other countries in Europe, and the sky is not caving in. Of course, people have different views on the matter. They have different religious views on the matter, and they are entitled to those views, but, at the same time, members of our community, regardless of their race, colour, creed or sexuality are entitled to live their lives in the way that they want to.

I hope and believe that this Assembly will, ultimately, vote for a progressive approach to this particular issue, and I think that we are pretty close to it. There are only a handful of votes in it.

I will not keep Members any longer, given the time of the evening. My colleague, Caitriona Ruane, will elaborate on our party policy as the evening continues.

**Mr Weir:** I rise to speak on this legislative consent motion as a member of the Committee for Finance and Personnel. Given the lateness of the hour, I will try to make my remarks fairly brief, and, in order to assuage any potential criticism from my right-hand side, I will try to do so without any notes.

I guarantee that I will be dull but noteless to satisfy the Simon Cowell of the Assembly, who is to my right.

The Chair has gone through in a very thorough fashion the process and the discussion that took place at the Committee. There was a limited opportunity to discuss the issue at the Committee and to receive evidence on it. I think that that is the nature of the LCM. On that basis, and as the Chair indicated, there was not a consensus on the issue. That should not particularly surprise us. Where some of the submissions that were made are concerned, it was perhaps not surprising that the submissions that were made on behalf of the Presbyterian Church and the Church of Ireland were in favour of the LCM. In contrast, when the Rainbow Project came in front of the Committee, it indicated that it was unhappy with the LCM and would prefer that it were not passed.

That lack of consensus is not surprising, because I think that it reflects the differences in views that have been expressed on the issue. We have had two debates on the subject. There is no point in rehearsing the detail of those debates, as they were fairly lengthy and the various parties' positions were fairly well staked out in them. My party has consistently taken the view, which I support, that the definition of marriage should not be redefined. To that extent, I am comfortable and happy with the LCM.

As indicated, the legal position is that, if the LCM does not go through, there is a potential anomaly that would mean that people coming from England could be in a different legal position to those from Canada or France who are in a similar situation. The Chair mentioned a court challenge being made at some point. I have no doubt that, at some point, someone will try to make a legal challenge on an

aspect of this. If we did not pass the LCM, I believe that we would be in a fairly indefensible legal position. The LCM is the best opportunity to defend the current position in Northern Ireland. I am comfortable with the LCM, because it preserves and reinforces the current definition of marriage in Northern Ireland as something that happens between one man and one woman. My party and I are comfortable with that and will continue to support it.

It is wrong where we have judges trying to impose rulings against the democratic will of any institution. We on these Benches will very much defend the view that it should be the Assembly —

**Mr McDevitt:** Will the Member give way?

**Mr Weir:** I will give way briefly.

**Mr McDevitt:** It may be pedantic of me to say this at 11.50 pm, but it is a bit churlish for the Member to complain about a judge trumping the democratic will of an institution when this legislative consent motion surrenders our democratic will to another institution. So, by virtue of the motion, we are handing over authority to make a decision on this matter to the British Parliament, which, like everyone else, will be subject to the judiciary.

**Mr Weir:** The Member shows as much ignorance of constitutional law as he does of the composition of this legislative consent motion. This legislative consent motion is consistent with the current definition of marriage. As the Minister said, when the legislative consent motion was originally discussed with the Government, the idea simply was that the Secretary of State could make changes and would simply have to consult with DFP.

It is enshrined in the legislative consent motion, and it is part of the constitutional theory on devolution, that any changes that are specifically put in this legislative consent motion require the consent of the Department of Finance and Personnel. In effect, any changes will require the consent of the House. Therefore, I believe that we have a degree of protection. I suspect that this debate will be held on other occasions in the future.

**Mr McDevitt:** *[Interruption.]*

**Mr Weir:** The Member can make a late gesture to be called up to the British Lions with a —

**Mr McDevitt:** The British and Irish Lions.

**Mr Weir:** British and Irish Lions. I am always very happy for anybody from an Irish background to be embraced in the broader British tradition as part of the British Isles. Indeed, whether the Member will be an adopted son on that basis remains to be seen. The Member is making gestures about trying to pass the buck, but, if he had read the legislative consent motion, he would know that it means that the House and the Department of Finance and Personnel will have to consent to any changes. This gives us the best opportunity to defend the institution of marriage, defend the current definition of the institution of marriage and, indeed, defend the integrity of the House by ensuring that any change in any subject will require the consent of the House. Therefore, I am very happy to support the legislative consent motion on behalf of the DUP.

**Mr McDevitt:** I may as well start off where Mr Weir ended. For anyone to come to the House and say that the DUP is the last great bastion for whatever it defines marriage to be is a bit like King Canute facing the monumental tide that

came in all around him. It is just the height of this House that we would engage in a debate like this at 11.55 pm —

**Mr Weir:** Will the Member give way?

**Mr McDevitt:** I will in a second, but let me just get started.

It is the height of this House that we would do so with straight faces and then turn around and tell our electorate that we have defended the institution of marriage and kept it as whatever it is that the DUP believes it should be. Whatever marriage is, it will be what the DUP believes it has defended it to be.

The legislative consent motion means that we have to do what we have to do. I agree with the Chair of the Finance Committee that it is very probable that, even in doing the bare minimum, we will be challenged, and successfully so. It is the height of indictment of any legislature that it would make law knowing that it was flawed. I regret to say that this is not the first time that we have done so tonight — it is the second time. That seems to be becoming the way that one party at least likes to do its business in the House.

Mr Weir seemed to have a really important point that he wanted to make.

**Mr Weir:** I thank the Member for giving way. I have a number of points. Although I stated clearly the DUP's position on this issue, and the DUP will hold to that position, it is not simply the view of the DUP. On the two occasions that this has been debated, a clear majority in the House has expressed a view, so it is not a case of one party trying to impose its will. Mysteriously, in previous debates, a number of your colleagues were not present to support the SDLP position, and I see that the Member is bereft of colleagues tonight as well. I should also point out, slightly pedantically, that he somewhat misses the point in relation King Canute. King Canute's actions showed the limitations of his power rather than his arrogance, but that lesson may have been lost on the Member opposite.

**Mr McDevitt:** No, it was not. The DUP is well aware of the limitations of its power, which is why it insists on carrying on in this legislature in the way that it does. There is no other legislature that would take the DUP seriously when it carries on like this or, indeed, where it would be in any way strong enough to carry on like this.

The situation is that we have to do the bare minimum. We have to do the right thing for people who, perfectly legally, exercise their right to engage in a civil, legal marriage in another part of the UK. It is really quite sad and disappointing that we are having to do this, first, at this late hour and, secondly, in a de minimis, or least possible, way and in an almost begrudging fashion. It says everything about what we need to change in this institution that that is the tone of tonight's debate and the way in which it is being conducted.

The SDLP will support the LCM because the SDLP will not take any steps that would in any way reduce the opportunity for people of the same sex to be able to enjoy the protection of the law, irrespective of what part of the UK they entered into their same-sex marriage. It is a matter of deep regret that we do not take a more mature, honest and grown-up approach to a proposal to change the law with regard to civil marriage. It is not a change to the law on church marriage because it would never be binding on a church. It would not, in any secular state — I believe that we all live in one — affect in any way an

individual's right to their belief or freedom from prejudice for their beliefs.

### 12.00 midnight

**Mr Cree:** I thank the last Member who spoke for allowing me to be the first Member to speak this morning. I was going to say "today", then "tonight", and it is now "this morning".

The Finance Minister is seeking the Assembly's approval for a legislative consent motion on the marriage Bill that is making its way through the legislative process at Westminster. As the Committee Chair outlined at some length, we considered the issue in some detail in the Finance Committee and received oral evidence from the Human Rights Commission and the Rainbow Project and written submissions from a number of other organisations. I will not seek to rehearse that work, as Members will be aware of the Committee report that was produced as a result.

The legislative consent motion is necessary for the purposes of recognising same-sex marriages in England and Wales as civil partnerships in Northern Ireland. It is important to state that that is how overseas same-sex marriages are treated in Northern Ireland at present, and it, therefore, follows that it should be the practice for England and Wales as well should the marriage Bill complete its passage through Parliament.

The LCM recognises that there is not sufficient consensus in the Assembly to change the current definition of marriage but ensures that the protections contained in civil partnerships are extended to same-sex couples who have married in England and Wales. It must also be remembered that the Civil Partnership Act is an established legal framework that has been in operation for nearly 10 years. So, we are not reverting to some untried and untested situation that will result in grave difficulties.

I will conclude by saying that I believe that a legislative consent motion of this nature to be the most sensible way forward. I recognise that it is not the preferred way for some, and, indeed, the issue of same-sex marriages is one that Ulster Unionists can vote on according to their conscience. In summary, the motion should ensure that all same-sex couples in Northern Ireland have the option of the protections of a civil partnership, and it will also bring England and Wales into line with how other countries that have legalised same-sex marriage are treated here. Importantly, it recognises the will of the majority of the Assembly, which is to keep the definition of marriage as it is.

**Mrs Cochrane:** I speak this morning on behalf of my party in favour of the legislative consent motion. While we are all aware of the differing views across the Chamber on same-sex marriage, the same-sex marriage Bill will pass in England and Wales, and we must therefore make adequate arrangements to determine how those in same-sex marriages in England and Wales will be recognised in Northern Ireland.

Many people in Northern Ireland have strongly held views that marriage should remain between one man and one woman, and we respect that. However, it has to be noted that the Presbyterian Church and the Church of Ireland both accept this legislative consent motion. The Church of Ireland says that it does not impinge on the church's understanding of marriage, and the Presbyterian Church

feels that it is a very necessary motion to help safeguard the current marriage legislation.

As has been laid out by the Minister and others, the legislative consent motion seeks to implement certain sections of the same-sex marriage Bill, which will mean that English and Welsh same-sex marriages can be treated as civil partnerships in Northern Ireland by using the established legal framework of the Civil Partnership Act. I recognise, however, that that does not go far enough for some, in that civil partnerships are not identical to marriages in terms of rights, registering with a religious institution and adoption. However, at this point, Northern Ireland needs to have measures in place so that those in same-sex marriages in England and Wales will be recognised in legislation in Northern Ireland. This is, therefore, a step in the right direction. I support the motion.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Sinn Féin supports this LCM not because it is sufficient in addressing the issue of marriage equality; it is not. Nor do we support the motion on the basis that the debate has concluded on the issue; it has not and cannot. We support the motion so as to not disenfranchise further those couples whose marriages were performed in England and Wales from the very limited legal recognition that would be offered by the provisions.

Níl muid ag tacú le LCM an lae inniu cionnas go sílimid gur leor é le aghaidh a thabhairt ar cheist an chomhionannais pósta; ní leor é. Níl muid ag tacú leis cionnas go bhfuil deireadh leis an díospóireacht ar an ábhar seo; níl deireadh léi. Táimid ag tacú leis an rún le nach mbainfear fiú an t-aitheantas an-teoranta atá sna forálacha seo de na lanúnacha sin a pósadh i Sasain agus sa Bhreatain Bheag.

I use the term "marriage equality" rather than the title given to this LCM of same-sex marriage very deliberately, because we are not asking for any special or separate definition of marriage, nor do we want to change, or fundamentally alter, what marriage means, which is to love, commit and form a union with another and for that union to be protected and recognised by law. We want all people, including same-sex couples to have the right to marry. That is equality.

Eleven countries and nine US states now provide for marriage equality. Let us not delude ourselves that there are no consequences for not legislating for marriage equality here. Research in the US demonstrates that there is a direct correlation between the level of acceptance of lesbian and gay people and the level of legal equality. Put simply, there is more anti-gay violence and stigma in places where there is less legal equality. That fact alone places a heavy burden on this Chamber, and I hope that the Minister of Enterprise, Trade and Investment, who has looked very bored since she came into the Chamber, takes note of that.

I note the Chairperson of the Committee for Finance and Personnel's comments on the short notice that was given by the Minister of Finance and Personnel on this matter, the strong possibility of a legal challenge on human rights or equality grounds and the unequal protection of human rights here compared with Britain. I also note the failure by Minister Sammy Wilson to carry out a full equality impact assessment (EQIA) when he knows full well that there are adverse impacts for various section 75 categories. That is poor leadership indeed by this Minister.

I love the way the DUP and, indeed, the UUP jump up and down shouting parity, except when it does not suit them. The Minister's failure to lead — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** — contrasts with the leadership shown by ordinary people in England, Scotland, Wales and the North and South of Ireland. I was at the constitutional convention, where a hugely significant percentage of people voted for equal marriage. *[Interruption.]*

**Mr Speaker:** Order, Members.

**Ms Ruane:** I also pay tribute to the people who organise Pride, which is happening as we speak. I hope that the Members opposite will join their former Lord Mayor of Belfast Gavin Robinson in Pride. I look forward to celebrating equality with my gay brothers and sisters this week and next week, and I, along with my party colleagues, will be joining proudly in the Pride parade.

The state has a duty to treat all of its citizens equally. The Minister has failed abysmally to do this, but I am hopeful and I know that we will have marriage equality in this part of Ireland. We just need to look at the DUP's record in trying to prevent various aspects of gay rights. The never-never brigade, the "Save Ulster from Sodomy" brigade, the party that tried to prevent decriminalisation of homosexuality failed on that count. It said "never, never, never" to civil partnerships, yet one of the first civil partnerships — again I note the Minister of Enterprise, Trade and Investment —

**Mrs Foster:** Will the Member give way?

**Ms Ruane:** I will, certainly.

**Mrs Foster:** It is better to be in that brigade than the east Tyrone brigade. That is what I was saying, if the Member wants me to say it again. *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Ms Ruane:** That is the most pathetic comeback that I have heard.

We have had the never-never brigade to civil partnerships, and now it is lauding civil partnerships. Yet, one of the first civil partnerships in Ireland was in Belfast. That was another unsuccessful campaign by the DUP.

In the debate on April 29, here in this Chamber, we had the "never, never, never" to equal marriage. Now, they say that they will do a little bit to try to make sure — *[Interruption.]* I have to agree with my colleague Conall McDevitt: I wish that you could be on this side of the Chamber and look at yourselves making nonsensical comments. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** Watch this space, folks. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** I have absolutely no doubt that there will be equal marriage in Ireland, North and South. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** The island of Ireland will ensure that all our citizens, regardless of gender, disability, race, political or religious belief — *[Interruption.]*

**Mr Speaker:** Order, Members.

**Ms Ruane:** — or sexual orientation will be treated with respect and equality. I would like to end by saying that the work carried out by all our groups that are fighting for equality for our gay and lesbian, bisexual and transgender community stands in stark contrast to the failure of the Ministers opposite.

**Mr McCallister:** At the outset, I think that it is fair to say that this is not ideal. It is probably a case of us doing as little as possible on this issue. I accept the Minister's point that the mood of the Assembly has been tested twice on this issue and, despite the two petitions of concern on those occasions, it fell short of even a simple majority, so there is not a settled will in the House on changing policy. Therefore, we are stuck in this position of having to accept the legislative consent motion. As I have said, I do not think it is ideal, but if we vote against it, or if the legislative consent motion were to fall, it would create a policy vacuum, with no one quite sure what would be the legal position of our fellow citizens in same-sex marriages who move here from England and Wales.

Perhaps the Minister will clarify in his winding-up speech whether, if the Scottish Parliament legislates for equal marriage, the motion also protects people who have been married in Scotland and later move to Northern Ireland.

I take on board the points made by other colleagues. The Chairman of the Committee for Finance and Personnel reminded the House that, possibly, in a few years, this will be the only part of western Europe that does not have equal marriage. How long or how sustainable that policy position would be is anyone's guess. I agree with Ms Ruane and Mr McDevitt that a court challenge to that position is very likely. However, we are in the position of having to accept this motion to avoid a policy vacuum. There are issues about adoption that I am sure that the Minister will clarify, although my understanding is that adoption orders are almost impossible to break, and so families moving here should be protected by legislation on adoption.

We have been presented with this motion and we have effectively no choice but to support it.

**Mr Allister:** I am implacably opposed to same-sex marriage. By any proper definition, marriage — indisputably and irreversibly — is the union of one man and one woman, and so it must and should remain. So long as I have a voice in this House, and this House has any control over it, that is the manner in which I will express myself.

#### 12.15 am

I trust that this legislative consent motion will not be necessary, because I yet hope that the Westminster Parliament will not take this most retrograde of steps by devaluing and redefining marriage in this perverse way and that this legislation will yet fall, and, if it does, of course, this legislative consent motion will not be necessary. If it does not fall, there is an issue to be addressed, arising from the fact that, regrettably, there would be the capacity for same-sex marriage in some parts of the Kingdom and, therefore, in this part, where it would not be possible, there would be an issue with couples that have gone down that particular path. Foreign couples that have gone down that path avail themselves in this jurisdiction of civil partnerships, and I think it would be nigh impossible legally and constitutionally to construct

an arrangement whereby those who, within the United Kingdom, go down that path would not also, in a way that could be defended, have to be afforded the same situation of civil partnership. That in no way means that I endorse or support civil partnership. I do not, but it is a recognition of the legal reality in that regard.

Once more, those who decline to accept the settled will of this House — twice, I think, in six months — in rejecting same-sex marriage talk loosely about legal challenge and all sorts of things. Whether they clutch those matters to themselves as a comfort blanket or something else, I do not know, but let us be very clear: there is no such thing in human rights law that applies in Northern Ireland to a right to same-sex marriage. It does not exist in the European Convention on Human Rights, though some might wish it to exist. It is not there, and, therefore, this pretence that, in some way, we are in breach of our human rights obligations is utterly bogus and false.

Whether we end up as the last place west of Germany, whatever the significance of that is meant to be, where same-sex marriage is not recognised and legislated for is neither here nor there. What matters is that we do right, and the doing of right means that we do not endorse that which is wrong; namely, same-sex marriage.

**Mr Agnew:** I think it is regrettable that we have this legislative consent motion that says that we will not recognise as married those couples who enter into a commitment of marriage in England and Wales. It is regrettable that we would seek to tell others that we do not value their marriage and their commitment as we do the marriage and commitment of others.

I am reassured, despite Mr Allister's contribution and some from others, that we will see marriage equality in Northern Ireland eventually. Just as, under the penal laws, legal recognition of Presbyterian marriage was denied for a long time, and just as Presbyterians now have their marriages recognised in law, same-sex couples will one day win their battle to end discrimination against them — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Agnew:** — and have their marriages recognised. There are attempts here to shout me down. Just as I will not be shouted down, the LGBT community will not be shouted down when fighting for its rights.

**Mr Wilson:** What a man? *[Laughter.]*

**Mr Speaker:** Order. Order.

**Mr Agnew:** I will not be churlish, Mr Speaker, because we have seen progress this evening. It was pointed out that the “never, never, never” brigade has, to some extent, moved on. For the first time, to the best of my knowledge, the Assembly will support legislation to give recognition to civil partnerships. Although we have civil partnerships in Northern Ireland, that happened during a period of suspension. Although we failed to bring forward a sexual orientation strategy, which seems to be stuck in OFMDFM, and although we failed to legislate for full marriage equality, I am pleased with the progress that has been made. Under a DUP Minister, we will see support for legislation, albeit not for equal marriage, but to recognise civil partnerships. I hope that when they see that society does not collapse and the end of all morality does not arrive, some day they may come to accept full

marriage equality and that society will be enhanced and not degraded.

**Mr Wilson:** I will reply to a number of the points made during the debate. I will deal with a number of the general points before I go into some of the specific contributions.

A number of points were made by Members, and the last Member to speak referred to this as well. Thankfully, Caitriona Ruane has left the Chamber, and we all rejoice when she disappears. Unfortunately, she is reappearing again. In her contribution, she said that this was lauding civil partnerships and that it was somehow a recognition of civil partnerships. Of course, it is nothing of the sort. As far as the legislative consent motion is concerned — Mr Allister outlined the position in his speech, and I made it clear in my opening speech — as a result of legislation that went through under direct rule, when people whose single-sex marriages occur in other countries come to live in Northern Ireland, they are recognised as being in a civil partnership, so we would have had an impossible situation. The position that the majority of Members and I hold is that we do not wish single-sex marriage to be introduced into Northern Ireland, nor do we wish to have that imposed on us by the courts. Without passing this legislation, we would have been vulnerable to cases of discrimination. Therefore, by accepting this part of the legislation, we are simply regularising the position between England and Wales and other parts of the world and what would happen to same-sex couples who are married in those places when they come to live in Northern Ireland. It is not acceptance, and it is not welcoming civil partnerships. It is simply accepting the reality of what is required to protect the position that, I believe, is representative not only of the majority of the Assembly but the vast majority of people in Northern Ireland.

I believe that although most of the speeches tonight were in favour of widening the legislation, those who spoke in favour are out of step with the community here in Northern Ireland. Mr McDevitt, of course, seems to be out of step with a good lot of his party, who have not even come near the place to support him in his stance. *[Interruption.]*

**Mr Speaker:** Order. The Minister must be heard. Order.

**Mr Wilson:** The second point, and we have to make this clear, is that this has nothing to do with people's rights.

**Ms Ruane:** Shame. Shame.

**Mr Wilson:** Those who have quoted those rights —

**Ms Ruane:** Shame.

**Mr Wilson:** The Member is saying “shame” from a sedentary position. She is one to lecture anybody about rights. Nobody has sought to crush the rights of people in Northern Ireland, including the right to live, as much as the Member who sits on the opposite Benches.

**Some Members:** Hear, hear.

**Mr Speaker:** Order.

**Mr Wilson:** So, she need not complain and say “shame” when I talk about rights. The last person in the world who should be talking about rights is the Member from South Down.

**Some Members:** Hear, hear.

**Mr Wilson:** Let us look at the rights issue. The human rights legislation makes it very clear. Article 12 of the European Convention on Human Rights defines the marriage right. In fact, the Minister made it clear in a letter to the Human Rights Commission that it does not by any stretch of the imagination require the right to same-sex marriage to be enshrined in article 12. In fact, when the Minister wrote to the Human Rights Commission, she said that there is no requirement under domestic or human rights legislation to introduce same-sex marriage. That is the opinion of the Minister who took the legislation through the House of Commons.

The second point that the Committee Chairman argued is that the Human Rights Act requires it to have equal force across all jurisdictions. The Human Rights Commission argued that point. In her response to the Human Rights Commission, the Minister made it quite clear that, on the extension of marriage in England and Wales to same-sex couples, which would affect the interpretation of the Human Rights Act, the courts in England and Wales will consider the legislation and then apply the Human Rights Act in that context. Where domestic provision differs in the United Kingdom, it is clear that the application of the Human Rights Act, according to that provision, may differ. So, there will be different outcomes in different countries across the United Kingdom.

The Minister went on to point out that that had already been shown to be the case with anti-terrorist legislation. What would have been regarded as a right in England and Wales on arrests and detention was different in Northern Ireland because the laws were different. It was a different local situation. So, there is no justification under the law for the appeal to the European Convention on Human Rights or to the Human Rights Act. It is not a rights issue. It is not an equality issue. Therefore, as far as I am concerned, there is no need —

**Ms Ruane:** Will the Minister take an intervention?

**Mr Wilson:** No, I will not give way to the Member.  
*[Interruption.]*

**Mr Speaker:** Order. Let us not have debate across the Chamber. The Minister is making a winding-up speech, and he should be heard. It is quite obvious that the Minister has no intention of taking an intervention. Let us move on. Let us moderate our language in the Chamber and display good temper as far as possible.

**Mr Wilson:** I normally take interventions during debates, as you well know, Mr Speaker, but the one thing that I have made quite clear is that I am not going to give the Member on the opposite Benches any platform to pretend that she is interested in human rights of any sort when her record on human rights, and, especially the human rights of innocent victims in Northern Ireland, is very clear for all to see.

**Some Members:** Hear, hear.

**Mr Wilson:** I will not give her an opportunity to carry out an exercise in hypocrisy in any debate.

**Mr Speaker:** Can we get back to the motion, please?

**Mr Wilson:** Yes, I will. Mr Speaker, the point that I was making is that this is not a rights issue and it is not an equality issue. Article 12 of the European Convention on Human Rights makes it quite clear that men and women

of marriageable age have the right to marry and to found a family according to the national laws governing the exercise of that right. That makes it clear that domestic laws in each state and jurisdiction govern the right to marriage. If our law defines marriage as being between a man and a woman, that is compliant with the Human Rights Act. Therefore, this is not a denial of people's human rights, even according to the legislation that Members appealed to during the debate.

### 12.30 am

The third issue is that, somehow or other, I denied the Committee the opportunity to scrutinise this legislative consent motion properly by bringing it late. Let me make something clear: it was evident from the very start of the Bill's passage through the House of Commons that parts of it applied to Northern Ireland and would require a legislative consent motion. I made it clear to Members that I contacted the Minister, and my officials contacted the Department in England. We wanted to change certain things in the legislation. There was no willingness to engage with us on that or to make those changes until the very last moment, when changes were made. Mr Weir made the point that, if there were to be changes in the legislation — for example, in regulations — our consent would be required rather than simply consultation with us. I believed that that was essential, and we got that.

We also sought safeguards on consular marriages to ensure that we did not finish up with sham marriages and people from Northern Ireland trying to get around the regulations. We could not get those safeguards. Right up to the last moment — indeed, in the week before Final Stage in the House of Commons — I had a conversation with the Minister about it. She was not prepared to move on that, and we were not prepared to move either.

When it came to armed forces marriages, because the authorising officer, regardless of his or her opinion, would have been expected to conduct these, I was not prepared to give consent.

So there was negotiation right up to the last minute. The other reason for time pressure is that the Government at Westminster, in their obsession to get this legislation through, has a very tight timetable. They pushed the Bill through to the House of Lords and want it pushed through there as well.

Negotiating to get some of the changes that we wanted, clarifying issues that we were not going to get agreement on and the urgency of the Government at Westminster meant that we did not have a great deal of time to scrutinise the legislative consent motion. I was not running away from its scrutiny; I would have been quite happy for it to be scrutinised by the Committee. If there had been more time to do that, of course we would have done so.

A number of Members raised the issue of adoption. The situation is that regardless of someone marrying or entering into married or in a civil partnership in another part of the United Kingdom, once they have adopted, it is irreversible. If a same-sex marriage couple came to live in Northern Ireland, their adoption of any child would still stand in Northern Ireland. Adoption is dealt with not by my Department but by the Department of Health.

The Committee raised the question of whether we will review these changes within a three-year period. The

answer is no. I have no plans to review the arrangements because I do not believe that a review is necessary. A review would be necessary only in the context of looking at whether we were going to relax the legislation further or go for same-sex marriage. I have made it clear that, as far as my party and I are concerned, and as far as the Assembly is concerned at the moment, the position is fixed: we are against same-sex marriage. So we will not carry out a pointless review of the arrangements.

Some suggested that the legislative consent motion did not go far enough and wanted us to go the whole way and allow full same-sex marriages. I have made it quite clear why I am not prepared to do that. I noticed that Mr McDevitt, in his contribution, asked why we could not have a much more mature and honest debate about the issue. Of course, other Members said that all that they want is equality for people who are gay and want to get married, etc, because it is their right and it is unfair that they do not have that opportunity. I just want to make something clear: there is a balance to be struck in all of this. It may affect a minority of people. However, I suspect that not even all those who are homosexual or lesbian would want to be married anyhow. Therefore, it affects a very small minority.

The legislation and, indeed, even its explanatory notes make it quite clear that there are serious implications for those who do not agree with the changing of the definition of marriage. Some people have talked about the protection that is afforded to ministers. First of all, I do not believe that those protections are as strong as the Government have said they are. In the explanatory notes to the Bill, it is explained that people such as florists, people who drive wedding cars, people who print the stationery and registrars who have to perform the marriage would all be affected by the legislation if they decided out of conscience that they did not want to print the stationery, drive the car, provide the flowers or be the registrar. The explanatory notes make it quite clear that those people would be breaking the law. Then, you go beyond that to include teachers, social workers and others who are in public service who take a different view of this. Of course, that is one of the reasons why I have rejected the armed forces part of the Bill. Before the legislation has gone through, we have already seen people being dismissed from post because they have posted on Facebook their opposition to some of the changes that have been proposed. The Bill has not even gone through yet. It affects a wide range of people.

**Mr McDevitt:** You should see what “you” are saying on Twitter tonight.

**Mr Wilson:** The Member cannot dismiss the discriminatory impact that that kind of legislation has on the wider community. It is for that reason that I believe that we have probably got an arrangement that, first of all, protects the position that the majority of people in Northern Ireland wish to have, namely that we do not have same-sex marriage and we do not have it imposed on us by the courts — because we would create a situation where people could easily take the matter into the courts — and that, at the same time, we do not hurt the vast majority of people, and a wide range of people, who could be swept up in the implications of the legislation.

**Mr Givan:** I thank the Minister for giving way. Does he share my concern — I am sure that he does; he has mentioned it — that it would be used to discriminate against those, particularly of a Christian faith, who oppose

same-sex marriage and that the very people who, even in the Chamber, would argue that it needs to be done to protect the minority lesbian, gay and bisexual community would be the first to use same-sex marriage as a charter to persecute Christians in their objection to give the services that they provide?

**Mr Wilson:** The Member is absolutely correct. It probably does show the kind of dual standards that apply in much of the debate. The very people who shout the loudest about the discriminatory and unfair impact of that would be quite happy to see the unfair impact being imposed on other people who are not part of their charmed circle or the little group that they wish to represent, even though, as the Member has pointed out, they are, probably, the majority of people in Northern Ireland.

I recommend the legislative consent motion to the Assembly. It has the expressed support of the Executive, the Committee in its report, and I hope that it will have the support of the Assembly.

*Question put and agreed to.*

*Resolved:*

*That this Assembly agrees that the following provisions in the Marriage (Same Sex Couples) Bill, which relate to the treatment of same-sex marriages in Northern Ireland and gender recognition, should be considered by the UK Parliament:*

*- clauses 10(3), 12, 15(1) to (3) and 16;*

*- paragraph 2 of schedule 2; and*

*- schedule 5 (as introduced in the House of Commons on 24 January 2013).*



## Care Bill: Legislative Consent Motion

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I beg to move

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Care Bill, as introduced in the House of Lords on 9 May 2013, contained in sections 38 to 40 and schedule 1 dealing with cross-border placements; and chapter 2 of Part 3 and schedule 7 dealing with the Health Research Authority.*

The Care Bill, which was introduced in Westminster on 9 May 2013, emanates from the UK Government White Paper, 'Caring For Our Future: reforming care and support', which set out a long-term programme to reform care and support in England. The Bill also takes forward many recommendations from the Law Commission report on adult social care, which concluded that existing care and support legislation is in need of updating. Essentially, the main purpose of the Care Bill is to modernise care and support law and consolidate a number of existing pieces of legislation into a single, clear statute.

Although the majority of provisions in the Care Bill apply to England only, Members will be aware that any proposed changes in a Westminster Bill that relate to a devolved matter have to be agreed by the Assembly by means of a legislative consent motion (LCM). There are two aspects of the Bill that will require an LCM. The first relates to the status of the Health Research Authority (HRA).

The Department of Health established the HRA on 1 December 2011 as a special health authority with the core purpose of protecting and promoting the interests of patients and the public in health research. The Care Bill proposes to abolish the HRA as a special health authority and establish it as non-departmental public body. The Department of Health's rationale for doing so is to give the HRA greater independence in its role of protecting and promoting the interests of patients and the public in health and social care research and to allow it to take on a wider range of functions. Among other things, the Care Bill imposes a duty on the HRA to co-operate with the Department of Health, Social Services and Public Safety (DHSSPS), and that will require an LCM. What is important to highlight to Members is that the proposed change to the status of the HRA will not change its relationship with Northern Ireland, nor will it affect the arrangements that currently exist between it and the DHSSPS.

The second provision requiring an LCM relates to cross-border care home placements. By "cross-border", I mean within England, Scotland, Wales and Northern Ireland. At present, health and social care trusts are prevented by law from arranging placements in care homes in England, Scotland and Wales, and those difficulties are mirrored across other UK regions. An informal extra statutory arrangement, regularised by the Department of Finance and Personnel (DFP), exists where clients are placed from Northern Ireland to elsewhere. However, the Care Bill intends to provide a clear, co-ordinated and, more importantly, a statutory basis for care home placements across the UK. In so doing, it will also provide a greater degree of personal choice for clients.

Each of the four UK countries has powers to draft subordinate legislation that would allow trusts and local

authorities to place care home residents across the UK. However, efforts to secure the necessary co-ordinated approach to the drafting of subordinate legislation have not proved successful.

The Department of Health in England approached colleagues in Scotland, Wales and Northern Ireland with a proposal that the separate powers that the four UK countries each have to draft subordinate legislation be consolidated into the Care Bill as a means of securing the necessary co-ordinated approach.

In practical terms, the provision in the Care Bill is perhaps best explained by an example. In the case where a person receiving a care package in a care home in England is sent to Northern Ireland, the sending administration, which is England, will bear the cost of the person's care package. However, the person will ultimately be treated as a resident in the receiving administration, which is Northern Ireland, for the purposes of general entitlement to healthcare services; for example, if they have to be admitted to hospital. In short, this means that the receiving administration will have to bear the cost associated with any healthcare treatment beyond the person's agreed care package.

The Bill also includes provision to allow for the situation where there is a dispute between a local authority in England, Scotland or Wales and a health and social care trust in Northern Ireland about a person's residency to be resolved for the purposes of these provisions. The Care Bill will provide an enabling power to draft subordinate legislation within each of the four UK Administrations that will be taken forward in a co-ordinated way. The subordinate legislation will provide detail on how the cross-border arrangements will operate. It will also provide detail about the arrangements for the resolution of disputes.

I also advise Members that discussions are ongoing between the four UK Administrations with a view to introducing a clause at amendment stage to provide for temporary local support in a situation where someone is receiving a social care package in UK country other than the one that is funding their care, be it residential or non-residential, from a care provider whose business subsequently fails.

**12.45 am**

The proposed provisions of the Care Bill that require the consent of the Assembly will allow Northern Ireland to continue its existing relationship with the Health Research Authority under its new status and, as I said earlier, will provide a clear, co-ordinated and statutory basis for making care home placements across the UK. On that basis, I ask the Assembly to support the motion.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a Cheann Comhairle. Members will be glad to know I have only 25 pages of speaking notes. I am only joking; I will be brief.

The Committee supports the motion. We took evidence on the Bill from departmental officials on 15 May, and we signed off on our report on our findings on 12 June. As the Minister said, the legislative consent motion is required in relation to two issues: the abolition of the existing Health Research Authority as a special health authority, and cross-Administration care home places. In effect, agreeing the motion will allow the Health Research Authority to

continue to co-operate with and provide services for our Health Department when it becomes a non-departmental public body. Although that is a fairly technical issue, it is important nonetheless.

The more significant issue is the fact that the motion will provide a legal basis for local authorities in England, Wales, Scotland and our own health and social care trusts to meet an individual's care needs, including accommodation, anywhere within the four jurisdictions. The Committee welcomes this move because it will allow people who want to be placed in accommodation near their family or friends to do so. Many people who have left here over the years to find work may wish to return here for the latter part of their life, and it is right that people should have that choice. There should be equality for an older person whose children have all moved across to England, for example. Again, it is right that they should be provided with care in England in a place close to their family. The Committee welcomes and supports the legislative consent motion.

**Mr Wells:** I will be brief, which is unusual for me. The Committee has considered this legislative consent motion and is perfectly happy with its contents. I think we have all dealt with situations as constituency representatives that have featured complexity and bureaucracy that arose from people wishing to transfer their care from England to Northern Ireland or vice versa. It was always complicated. There was non-statutory provision, and it is now right and proper that the four Departments are getting together and are ironing out the difficulties through an LCM.

Legislative consent motions can often make a great deal of sense. There is no sense in reinventing the wheel, particularly when legislators in GB are taking the lead. I support this legislative consent motion.

**Mr McDevitt:** I am happy to echo the Minister, the Chair of the Committee and the Deputy Chair. There is strong support for regularising the situation for people who left these shores many years ago and may want to return home for their final years. The SDLP is content to support the LCM.

**Mr Beggs:** I, too, support the legislative consent motion. There is a major piece of legislation going through Westminster at present, and aspects of it will have implications for us, as has been mentioned. It is the wish of the English Health Minister that the Health Research Authority change its standing from a special health authority to a non-departmental public body. We cannot organise health research individually as a small region of the United Kingdom, so it is right and proper that we work with other regions of the United Kingdom to maximise the benefit of any health research. I have been told that this proposal will result in mutual benefit to each of the regions, and it will be business as usual.

The other aspect has been referred to by others. It is perhaps something that will more easily touch our constituents at some point in their lives, or someone whom they may know of. It is the aspect of someone who may have moved to England, Scotland or Wales through employment, and they may have fallen ill or had an accident and been required to go into residential care. The Bill will enable them to transfer back closer to family and friends here in Northern Ireland and enable that care to be picked up from the original health authority in which they received a package. Of course, there is a reciprocal arrangement for someone from England, Scotland or Wales who may have been

working in Northern Ireland and may have lived here, and may eventually have had to receive residential care and support. That, too, will enable them to move back, if they so wish, closer to family and friends.

I am very comfortable with this legislative support motion. I express the support of the Ulster Unionist Party for it.

**Mr McCarthy:** The legislative consent motion may be relatively narrow in its immediate focus, but it touches on some wider and very important policy matters. The Care Bill covers a range of issues other than those addressed in this specific LCM, and it will fall to the Department, the Executive and the Assembly to further consider those as they relate to Northern Ireland.

LCMs can serve as an efficient device to more speedy action. There are some very specific aspects of Westminster Bills where there is an issue of speed or of ensuring a consistent and standardised approach across the different devolved regions of the UK. I am content with the change of governance in relation to the Health Research Authority, as has already been mentioned. The functions that it undertakes should not be lost. The need for research in the health sector and the wisdom of taking decisions based on sound scientific evidence should be clear to everyone.

The issue of adult social care is a huge one; it is of great importance to me and to the wider community. As demographic changes produce a much older population, which is welcome in many respects, we will have to significantly review and change our policies, programming and resourcing of adult social care. I acknowledge that we have had a recent Northern Ireland consultation, and I anticipate detailed discussions on our way forward.

This LCM offers the prospect of better co-ordination across the different jurisdictions, and the resourcing and support of former residents of one region who are placed in other regions. While this is welcome in principle, there remains some uncertainty, as evidenced by the last Committee session on this issue, regarding whether this will be delivered in practice and the extent to which choice over relocating to a home in another region will be facilitated.

On behalf of the Alliance Party, I support the LCM.

**Mr Poots:** I thank the Members who have contributed to the debate. I see that NI21 has disappeared. Perhaps NI stands for "no interest" in the health service at 1:00 am. I thank the Members who have contributed. I also express my thanks to the Health Committee for taking the time to examine the provisions of the Care Bill that require a legislative consent motion. The positive engagement that took place with the officials was very helpful in coming to this conclusion.

Without further ado, I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Care Bill, as introduced in the House of Lords on 9 May 2013, contained in sections 38 to 40 and schedule 1 dealing with cross-border placements; and chapter 2 of Part 3 and schedule 7 dealing with the Health Research Authority.*

## Renewables Obligation (Amendment No. 2) Order (Northern Ireland) 2013

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I beg to move

*That the draft Renewables Obligation (Amendment No. 2) Order (Northern Ireland) 2013 be approved.*

This statutory rule is being made under powers contained in the Energy (Northern Ireland) Order 2003, which prescribes that this Order must be laid in draft for approval by affirmative resolution of the Assembly. The changes that I bring forward in the draft Order will amend the current Renewables Obligation Order (Northern Ireland) 2009 by introducing a six-month extension for eligible combined heat and power projects supported under the Northern Ireland Renewables Obligation (NIRO). This proposed amendment was previously introduced by the Renewables Obligation (Amendment) Order (Northern Ireland) 2013, when it came into operation on 1 May 2013. However, the policy objective was not correctly translated through to the legislation as per the policy intent. I now wish to rectify this situation.

As part of the changes to the Northern Ireland renewable obligation, my Department consulted on retaining the 0.5 renewable obligation certificate (ROC) uplift for combined heat and power (CHP) projects to the end of September 2015. The uplift will cease in the rest of the United Kingdom at the end of March 2015.

The removal of the CHP uplift across all three renewables obligations coincides with the introduction of a renewable heat incentive (RHI) for large-scale biomass, meaning that once the uplift has been removed, new CHP projects will take the relevant electricity-only ROC and, subject to eligibility, the RHI.

My Department will shortly consult on an appropriate RHI tariff for biomass over 1 megawatt in Northern Ireland. Although this is intended to be in place by 1 April 2015, the proposed tariff will not be confirmed in legislation until next year. This presents a difficulty for large-scale biomass CHP projects that are already in development or nearing financial close, which may accredit after 1 April 2015 but do not yet have a clear indication of the appropriate RHI support level.

Given the longer lead-in time to introduce an RHI tariff for large-scale biomass in Northern Ireland, my Department proposes to introduce a six-month extension of the 0.5 ROC uplift until 30 September 2015 for CHP projects accrediting under the NIRO. Eligible projects, which must be commissioned and accredited under the NIRO by 30 September 2015, will receive 2 ROCs.

As currently worded in the Renewables Obligation (Amendment) Order (Northern Ireland) 2013, a biomass CHP station accrediting during the extension period will only receive 1.9 ROCs and not 2 ROCs as the policy intended and for which support was received at consultation. That small difference has the ability to significantly affect the economic viability of biomass CHP stations. For that reason, this Order is required to amend the current Renewables Obligation Order (Northern Ireland) 2009 by inserting a new version of article 26 that was introduced in the May Order.

In conclusion, the amendments that are contained in this Order are designed to ensure that, in the absence of an RHI tariff, biomass CHP projects in development or nearing financial close have clear sight of support levels after 1 April 2015. It is important that we have a mix of renewable technologies in Northern Ireland and biomass can make an important contribution.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. With your permission, Mr Speaker, I will reduce my 20-page speaking brief down to 10. I am just joking.

The Committee for Enterprise, Trade and Investment considered and approved the original draft Renewables Obligation (Amendment) Order 2013 at its meeting on 11 April. The Committee considered the proposed Renewables Obligation (Amendment) Order at SL1 stage at its meeting on 23 May. The Committee is content that the new amendment Order does not change the policy intent of the previous Order but is being brought to correct a drafting error in the original Order that relates to the policy objective to introduce a six-month grace period/extension for biomass combined heat and power projects. The original Order does not allow this policy objective to be implemented as intended.

The Committee was, therefore, content to approve the new amendment Order at its meeting on 13 June so that the error can be corrected.

**Mrs Foster:** I thank the Chair for outlining the Committee's position. The Order introduces a change that will ensure that those who are investing considerable sums of money in biomass CHP projects now have clear sight of support levels in 2015 given the lead-in time for such projects. It will allow the NIRO to continue to adapt to the needs of industry. It will also ensure investor confidence, which is what we want. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the draft Renewables Obligation (Amendment No. 2) Order (Northern Ireland) 2013 be approved.*

## Private Members' Business

### **Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill: First Stage**

**Lord Morrow:** I beg to introduce the Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill [NIA 26/11-15], which is a Bill to make provision about human trafficking offences and exploitation, measures to prevent and combat human trafficking and slavery and provision of support for human trafficking victims.

*Bill passed First Stage and ordered to be printed.*

*Adjourned at 1.00 am.*

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# Northern Ireland Assembly

Tuesday 25 June 2013

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Speaker's Business

### **Public Petition: 'Magee Expansion: Time to Make it Happen'**

**Mr Speaker:** Ms Maeve McLaughlin has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak on the subject matter.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to present this public petition to the Assembly. It calls for the expansion of the Magee campus of the University of Ulster, and it will also be formally presented to the Minister for Employment and Learning.

As has been well noted, the expansion of Magee is central to the economic regeneration of Derry and the wider north-west region. Despite the economic analysis conducted by Oxford Economics, the plans by the lobby group University for Derry, the launch of Magee's plans in January 2009 and the sign-off of the One Plan two years ago this month, we still have not seen a robust business case submitted to the Department. Despite the university's expansion being identified as a key catalyst programme for Derry and the region, fewer than 4,000 students have been added to the university rolls in the past 28 years. Since the expansion proposals were announced in June 2001, when there were in excess of 3,000 students, the enrolment now sits at 4,466.

The petition, therefore, calls on the Department for Employment and Learning and the University of Ulster to expand Magee by increasing student numbers, widening the range of courses offered and building a bigger campus. The petition was signed by thousands of people from all walks of life across the North and the north-west. That is clear evidence, if ever we needed it, that, whatever our differences, we can unite and get behind the Magee expansion project.

Now that the petition has been signed and the message sent, what next? The University of Ulster must develop that business case if Magee's expansion is to be taken seriously by any credible funder. If an organisation wants to spend public money on as much as a box of paper clips, it must write a business case. A business case is a detailed document that includes an economic appraisal plus other material about the context of the proposed investment. Government cannot and should not make a decision to fund a project unless there is a business case. Unfortunately, the University of Ulster has only a strategic development plan, which is a very brief preliminary document introducing the basic project concept and

identifying key issues at the earliest stages of project development. It is a step before the business case and therefore not the business case.

People in our city and region remember too well the campaign for the university in Derry. We owe it to the young people to stop the brain drain and provide the types, numbers and quality of courses that are linked to the economy and ensure that future generations are afforded the choice of education and employment in the north-west region.

*Ms Maeve McLaughlin moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward the petition to the Minister for Employment and Learning and send a copy to the Chair of the Committee.

## Ministerial Statements

### British-Irish Council: Summit (21 June 2013)

**Mr P Robinson (The First Minister):** In accordance with the requirements of the Northern Ireland Act 1998, I wish to make the following statement on the 20th summit meeting of the British-Irish Council (BIC). The summit was hosted by the Northern Ireland Executive and took place at the Magee campus of the University of Ulster on 21 June. All Executive Ministers who attended the summit have agreed that I should make this statement to the Assembly on their behalf.

The deputy First Minister and I were pleased to welcome the heads of delegation from the other BIC member Administrations to the summit. The United Kingdom Government were led by the Deputy Prime Minister, the Rt Hon Nick Clegg MP. The Irish Government delegation was led by an Taoiseach, Mr Enda Kenny TD, and the Scottish Government by First Minister, the Rt Hon Alex Salmond MSP. First Minister, the Rt Hon Carwyn Jones AM, led the Welsh delegation. The Government of Jersey were led by the Chief Minister, Senator Ian Gorst, and the Government of Guernsey by the Chief Minister, Deputy Peter Harwood. Finally, the Isle of Man Government were led by Chief Minister, Hon Allan Bell MHK.

In addition to the deputy First Minister and me, the Northern Ireland Executive were represented by Arlene Foster MLA, Minister of Enterprise, Trade and Investment; Carál Ní Chuilín MLA, Minister of Culture, Arts and Leisure; Danny Kennedy MLA, Minister for Regional Development; Alex Attwood MLA, Minister of the Environment; and David Ford MLA, Minister of Justice. A full list of participants is attached to the statement that has been provided to Members.

The summit again underlined the British-Irish Council's unique and important role in furthering, promoting and developing links between its member Administrations through positive, practical relationships and in providing a forum for consultation and exchange of information on matters of mutual interest within the competence of the relevant member Administrations.

The Council welcomed the hosting of the summit in Londonderry during the city's tenure as UK City of Culture 2013. In recognition of the significance of the occasion and of the development of a formal Council work stream on the creative industries, the first item on the agenda was a presentation to the Council by Shona McCarthy, chief executive of the Derry/Londonderry Culture Company. The presentation highlighted the social, community and economic benefits to the north-west arising from Londonderry's selection as the first UK City of Culture, as it aims to act as a catalyst for building the economy and delivering a lasting legacy for the people of the city and surrounding area. The Council then had a useful question-and-answer session in which support and advice based on the Derry/Londonderry experience was offered to those English, Scottish and Welsh cities now shortlisted to be the next UK City of Culture.

Recognising the significant social, economic and other benefits arising from the creative industries, and in line with a previous proposal from the Government of Jersey, the Council agreed to establish a new BIC creative industries work sector to further share best practice and

to consider areas for collaboration. The new work sector will be led by the Government of Jersey. The Council requested that the new work sector and the secretariat should prepare a work programme for approval at the next summit to be held in Jersey in November 2013.

The Council discussed the current economic situation in each member Administration. This has been a regular item on the BIC summit agenda, and the discussions on this occasion indicated that while all Administrations continue to experience difficulties in some specific sectors, they are, in general, less pessimistic about the economic outlook than in previous years. Nevertheless, it was the universal view that there remains no room for complacency and that efforts must continue to be made to address the consequences of the economic downturn.

The Council also recognised the common challenges of moving to low-carbon energy sources to reduce greenhouse gas emissions while ensuring security of supply at a pace that minimises the impact on low-income families and business competitiveness.

The Council considered the policies that are being implemented to enhance investment in diversity in energy generation at large central and small local scales. It also considered how these policies might encourage profitable investment in energy efficiency while stimulating more energy security, job creation and supply chain development.

The Council referenced the continuing importance of the all-islands approach, which was agreed by the Council in 2011, to enable opportunities for commercial generation and transmission and to facilitate the cost-effective exploitation of renewable energy resources.

The Council reviewed the latest position on youth unemployment across the member Administrations. In line with commitments at previous summits, the Council recognised the need to consider the full range of instruments that are available at national, British-Irish Council and European levels to generate employment opportunities for young people and to intervene at the earliest opportunity to ensure that young people do not become long-term unemployed. The Council therefore agreed with a proposal by Senator Ian Gorst, Chief Minister of Jersey, that the next summit in Jersey should have youth unemployment as one of its themes.

The Council received an update on the work that has taken place across each of the Council's eleven work sectors since the previous summit in November 2012. The Council noted the secretariat's progress against its business plan and, recognising the economic constraints affecting all member Administrations and the efficiencies made in the previous financial year, approved a 20% reduction in the budget of the secretariat for 2013-14. It endorsed the publication of the first BIC annual report, covering the calendar year 2011. We will place a copy of the BIC annual report in the Assembly Library.

Finally, the Council noted that the next BIC summit would be hosted by the Government of Jersey in November 2013 and agreed that it would focus on youth employment and the new creative industries work sector.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I understand that this was the 20th summit of the British-

Irish Council. What does the First Minister believe to be its greatest achievement?

**Mr P Robinson:** If the Member looks at the statement he will see immediately that the greatest achievement is the sharing of information and learning from the experiences of others on things that we should and should not do. I believe that it is a useful gathering of the leaders of the various Administrations in the British Isles, and I hope that I will get full encouragement from my unionist colleagues to maintain that east-west link, just as others will be encouraging us to maintain North/South links.

**Mr G Robinson:** I thank the First Minister for his statement. As a relative newcomer to a focus on the creative industries, how do we compare with other, more established BIC regions in that regard?

**Mr P Robinson:** First, when we talk about the creative industries in Northern Ireland there is a tendency to think immediately of film and television. Of course, the creative industries go much further than that into music, digital work and even architecture. However, the trendy side of it, which is the film and television industry, was at a very low level when devolution occurred. That has built up very significantly in Northern Ireland, and we are now recognised as a centre that major television and film producers should be looking at.

We are glad that we are now moving into a fourth season of 'Game of Thrones' for HBO, and we are pleased that Universal is coming to make 'Dracula' here. I might suggest that there are one or two bloodsuckers that might be found somewhere to get bit parts in that film. There is a range of other television opportunities; 'The Fall' is experiencing rave reviews, and I am glad to see that it is going into a further season as well.

We can see how it has been building up. Indeed, the HBO television series has created something like 700 or 800 jobs in Northern Ireland, so there is a massive opportunity.

Education is not just about what you know; it is about what you can do. This is a real opportunity for people to show what they can do through the creative industries.

10.45 am

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his statement. Will he expand on his discussions on youth unemployment and reassure us that that issue will continue to feature on the clár of the BIC meetings?

**Mr P Robinson:** There is an overall feeling that youth unemployment is far too high. Relatively speaking, Northern Ireland is in the bottom quarter when it comes to the youth unemployment rates of European countries, but it is something that we need to pay a lot of attention to. Outside the youth unemployment figures, we have a very large section of young people who fall into the economically inactive category, the not in education, employment or training (NEET) category. That is one of the reasons why the deputy First Minister and I brought forward the proposal for 10,000 placements for young people who are NEET.

We are active in that area, and it has been agreed that it will be the focus of our September summit in Jersey. There is a lot of evidence on the issue. The statistics for the United Kingdom show that Scotland has a much lower level of youth unemployment than anywhere else,

so perhaps there are lessons that we can pick up from Scotland. Northern Ireland comes next on the list, with a lower rate than England and Wales.

**Mr Eastwood:** I welcomed seeing the British-Irish Council in Derry. We in Derry are happy to teach anybody any lessons, whether they are about culture or anything else.

Given the north-west gateway initiative and the understanding in the One Plan that university expansion and higher numbers of university places in that region is essential to economic development, what conversations have the First Minister's Executive colleagues and their colleagues in the Irish Government had about trying to bring that about?

**Mr P Robinson:** As the Member would expect, we have not had conversations on this issue at the BIC. In the Executive, we have had conversations on the matter, although it is probably more appropriate that the Employment and Learning Minister deals with the issue rather than me.

However, I agree with the Member that we had a very thorough and valuable presentation from the City of Culture people. The other delegates were vastly impressed by what had taken place, and they had all been provided with the full programme of activities that will take place over the course of this year. Indeed, one of the delegation leaders remained after the BIC meeting to taste something of it for herself.

**Mrs Hale:** I thank the First Minister for his statement to the House this morning. I appreciate that he has already touched briefly on the subject of youth unemployment, but can he expand on how our economic achievement compares with that of other areas in the BIC region?

**Mr P Robinson:** I will place in the Library a paper that was provided to the BIC summit by Alex Salmond, the First Minister of Scotland. While the table that he provides emphasises Scotland, as one might expect, it shows the level of youth unemployment in the European Union. The figures are for March 2013 and range from almost 58% youth unemployment in Spain and 57% in Greece right down to the UK average of 19.5%. Northern Ireland's rate is 19%, and, as I indicated, Scotland has a lower level at 15.2%. Northern Ireland and Scotland are in the lowest quarter. You can see that throughout the European community there are very high levels of youth unemployment. In Spain and Greece, you have youth unemployment at almost 60%, which is a dangerously high level. So it is important that we look at this subject further. We will do that not only within the Executive but with colleagues in the BIC.

**Ms Fearon:** Go raibh maith agat, a LeasCheann Comhairle. I thank the First Minister for his statement. What is his assessment of the presentation given by the Culture Company on Derry's year as the City of Culture? What has been the impact of the City of Culture so far, not just in Derry but in the North as a whole?

**Mr P Robinson:** The impact goes beyond that, because those most eager to listen to the presentation were from areas that had made bids to be next year's UK City of Culture. They very much wanted to learn from the experience of the Derry/Londonderry company. The Culture Company has shown a ready willingness to share its experiences, the mistakes and the advantages, when

the year is over, with whatever area will follow it. The presentation was made by, I think, Mickey Melarkey — is that right?

**Mr M McGuinness:** Marty Melarkey.

**Mr P Robinson:** Marty Melarkey? You could only make that name up. He and Shona gave a presentation that contained video elements showing the excitement in the city. If we had got up at about 4.00 am — the deputy First Minister boasts that he did — we would have seen hot-air balloons with music being played from them going around the city. I just thought that the combination of hot air, balloons and politicians was not one that I wanted to mix with.

**Mr Cree:** The First Minister referred to the all-island approach to energy. Were any particular opportunities identified that could benefit the islands as a whole?

**Mr P Robinson:** My colleague the Minister of Enterprise, Trade and Investment signed an agreement with the Taoiseach, Enda Kenny, and the First Minister of Scotland because of the link between the Republic Ireland, Northern Ireland and Scotland. That will lead to the carrying out of a study, which will be very useful. It is important that we keep the connectivity of the North/South interconnector and the connection with Scotland. I hope that that not only provides us with greater security in our energy supply but leads to lower costs.

**Mr Allister:** On that theme and the question of energy security, with Ballylumford B required to close at the end of 2015, Kilroot required to reduce output by 50% by 2016 and the Moyle interconnector limping along, was there any discussion about making improvements and putting the Moyle interconnector on the basis of working all the time at full capacity?

**Mr P Robinson:** There was not. That is very much a matter for the Northern Ireland Administration to deal with through the Department of Enterprise, Trade and Investment. The subject matter that we were dealing with was the connectivity between the various parts of the islands. I will certainly draw that issue to the attention of my colleague the Minister of Enterprise, Trade and Investment, who may want to reply to him directly.

## **Health and Social Care: Taking Forward Transformation**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Speaker, I wish to make a statement to the House on progress taking forward the transformation of our health and social care services.

I want to remind Members about the very real challenges that we face and the reasons why transformation is so critical. In Northern Ireland, as elsewhere, we have a growing and ageing population, a growth in chronic conditions, a growth in demand and an over-reliance on hospital beds. All of that is set against a backdrop of economic and financial constraint. Given the challenges ahead, the way that we work now will not work well in the future.

That is not a criticism; it is a statement of fact. I want to make sure that we are able to make our integrated health and social care system work effectively for us every day and for every patient. It is important that, as we take forward transformation, we keep our service users and patients at the front and centre of the process, in line with our commitments under Quality 2020. We must ensure that good communication and discussion with all those impacted by the proposed changes is at the heart of our work, and that is why I want to take the opportunity today to report on what we said we would do, what we have done and what we will do.

Throughout the transformation process, it is essential that we hold true to the core principles of the National Health Service (NHS). I stated on 9 October 2012, when I was launching the 'Transforming Your Care: Vision to Action' consultation, that my belief in the core principles is unchanged. That remains the case. The principles are that health services are generally free at the point of delivery and are based on individual need and not ability to pay, are funded by taxation, and are available without prior restriction on which cost-effective treatments or therapies individuals should receive. Thus, the best available cost-effective services will be provided for all citizens. Those principles remain a fixed point in the transformation process.

Of course, the wider context for the changes remains challenging, with significant pressures in the financial context for 2013-14. My Department, the Health and Social Care Board and the trusts have been working closely to identify opportunities for delivering cash-releasing and productivity improvements to address those pressures. Some £139 million of saving opportunities have been identified at this stage, and those moneys are being re-targeted to those areas in health and social care where priority is greatest. However, that still leaves a significant funding gap this year. I am committed to identifying and implementing saving opportunities wherever possible in the Health and Social Care (HSC). However, that must not be at the cost of quality and standards of services for patients and service users.

I have, therefore, made a bid in this year's June monitoring round to the Department of Finance and Personnel for £55.2 million, including £28 million for transitional funding to support Transforming Your Care (TYC) and HSC saving initiatives. Those transitional moneys will be important to ensure that we maintain the momentum of transformation



across the HSC. No change is not an option. If we do nothing, we will simply not be able to provide the high-quality and safe services that are necessary to meet the needs of people in Northern Ireland. I have also bid for £57 million capital money to allow development of the infrastructure required to modernise the facilities in which services are delivered.

Meeting the challenges of the future is dependent on the effective delivery of Transforming Your Care, which is a key strand of our health and social care transformation. As we work to deliver transformation through the provision of services closer to home and to maximise the benefits of our integrated health and care system, the roll-out of integrated care partnerships (ICPs) will be crucial.

The aim of the new integrated care partnerships is to transform how we work collaboratively to deliver better outcomes for service users locally. I expect ICPs to improve the quality of care, access to care and pathway design so as to improve our service user outcomes and experiences, especially for those who are most in need of early intervention care, treatment and support. There will be coverage across Northern Ireland, with four planned for Belfast, four for the South Eastern Trust area, three in the Southern Trust area, two in the Western Trust area and four in the Northern Trust area.

*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

ICPs are overseen by partnership committees and incorporate multidisciplinary working groups, including health and social care professionals, community and voluntary sector representatives, service users and carers. ICPs are being formed now, and I hope that they can start to make a significant difference to support transformation this year.

The provision of care closer to home requires a step change in the way that we provide care, with the development of improved primary care facilities on a "hub and spoke" basis to be able to respond better to service users' needs. In April this year, I announced the development of two new hubs in Newry and Lisburn. I have decided to progress those facilities through third-party development to allow them to proceed now and to realise the benefits sooner than could have happened if I had had to await the availability of capital in the next Budget period. Work is in hand to address the remaining issues that need to be resolved prior to formal commencement of procurement for both centres, which will hopefully be within the next few weeks.

A prior information notice (PIN) has already been issued to alert the market.

#### **11.00 am**

These are exciting developments, complementing the provision of existing health and care centres, such as those at the Hollywood Arches and in Portadown, and others that are under way, including those in Banbridge, Omagh and Ballymena. These developments in primary and community care will make a key contribution to enabling patients and service users to manage and maintain their health and well-being as close to home as possible.

TYC included a commitment to nurture new relationships with the community and voluntary sector where that could demonstrably improve patient outcomes. The

sector's enthusiasm came through strongly in the recent TYC consultation. The community and voluntary sector has an important role to play in the design and delivery of services, and we need to develop that role further. I am delighted that the Health and Social Care Board, in partnership with Marie Curie Cancer Care, is investing £250,000 over two years in the development of the Delivering Choice programme, with Marie Curie investing a similar amount. That is a good example of real partnership working that brings together all those who are involved in providing care at the end of life. Its emphasis on supporting people to have choice at the end of their life and on enabling them to die in their preferred place dovetails with the vision in TYC to promote care closer to home and enhanced patient choice.

A partnership approach is at the heart of the work that is being taken forward in learning disability services. Evidence from engagement with service users, carers and families shows that day opportunities and alternatives to traditional care provision are increasingly important to people with a learning disability. The HSCB is reviewing how changes to day opportunities and day centres for those with learning disabilities will be implemented across the region. That will ensure that there is a consistent regional framework and full and meaningful engagement with clients, their families, carers and staff. Services would then be designed locally within the framework. It is estimated that the programme for the development of day services and day opportunities may take up to five years to complete in some areas.

Another area that demonstrates how the principles that are set out in TYC are already working in practice is the provision of innovative, cross-sectoral approaches to the challenges of acute care services. I will comment shortly on the reconfiguration of services, but it is important to acknowledge that changes are happening on the ground all the time. For example, there are now more opportunities for direct admission to wards by GPs. That avoids the need for some of our frailest and most vulnerable patients having to be admitted through an emergency department. There are examples of trusts providing targeted support and advice to nursing homes so that patients can be appropriately managed in the care home without having to go to hospital. That benefits patients by allowing them to be cared for in familiar surroundings by staff they know.

TYC highlights the potential for trusts to work more closely with the Northern Ireland Ambulance Service to help to improve services. The appointment of hospital ambulance liaison officers to emergency departments has contributed to the improved management of patient flows from ambulance to emergency department, as well as to improved discharge.

Over the past year, the emergency department improvement action group has worked with trusts on areas including better management of referrals to hospital, the provision of alternatives to hospital, improved effective discharge planning and support from the multidisciplinary teams in the community. There is still a lot of work to be done, but I know that staff are committed to working to improve acute hospital care.

One practical outworking of the transformation and the shift of resources from hospital to the community will be the reduction of beds in our hospitals. That cannot take place in a vacuum. In particular, it must take place

with full and transparent engagement with patients and service users so that we know what is changing, when it is changing and why it is changing. As I highlighted in my statement on 19 March, it is essential to listen to the voices of local communities to ensure that we are able to make the best possible decisions about how we develop health and social care services into the future.

Responses to the 'Transforming Your Care: From Vision to Action' consultation exercise indicated a mixed reaction to the proposal for the second location for an inpatient acute mental health unit in the western LCG area. In my statement, I indicated that I wished to consider the issue further before reaching a final decision on the way forward. The completion of a detailed business case, looking at a range of options, will be required. That work is under way, and once it is completed, it will inform my decision. The preferred option will be the one that best meets needs, is affordable and provides best value for money.

I want to secure certainty and stability for the Causeway Hospital, where I know that uncertainty about the future management arrangements has been unsettling for service users, patients and staff. This work is being taken forward by my Department and will include input from the HSCB, the Northern and the Western Health and Social Care Trusts, and others as necessary. At regional level, we will be working extensively to ensure appropriate service reconfiguration. As we undertake this work, we will aim to ensure, first, that our services are as efficient as those delivered in the NHS elsewhere and, secondly, and crucially, to ensure that new models of care are in place and working before stepping down to other services.

Through our quality improvement and cost reduction programme for the HSC, we need to deliver efficiency and service improvement opportunities. There are efficiency savings to be delivered in 2013-14, but we recognise the pressure on the system. To ensure that trusts are provided sufficient time to embed changes to service configuration, I have approved bridging funding of £18 million in 2013-14. There are also transformational changes. The 'Transforming Your Care: Vision to Action' consultation highlighted a potential reduction of 180 beds in secondary care across Northern Ireland. This change will be phased from 2014 to 2017 because we must ensure that the new models of care are in place and working before stepping down the other services. Transitional funding will be essential to support some dual running.

I want better services for all older people, now and in the future. To this end, my Department has asked the HSC Board to lead on a regional project for co-ordination, consultation, engagement and implementation of change in services for older people. I expect all future trust proposals to be part of the new HSC Board oversight arrangements, but with local consultation and engagement.

I want to assure Members that the future of statutory residential care homes will be considered on a case-by-case basis, recognising that we must do what is in the best interests of the current residents. Residents and their relatives have known for some time that some places had already been earmarked for supported living schemes, such as Rathmoyle and Greenisland. Quite understandably, some residents have begun to move out of Rathmoyle, and no residents are left at Greenisland. Where people have made alternative arrangements, I do

not wish to cause disruption. However, before there could be any further change at Rathmoyle, I want assurance from the HSCB that the previous processes have been adequate and that suitable alternatives are available in the locality in place of services that were available there.

I understand that two other residential care homes that have had no clients in them since mid-2012, Ferrard House in Antrim and Grovetree House in Belfast, are no longer registered with RQIA. This predated my announcement of 3 May 2013. Therefore, provided that I receive assurance from the HSC Board that suitable alternatives are already available locally, I see no good reason to consult further because such models are unlikely to offer high-quality accommodation. In addition, the Northern Trust has just completed a consultation on the future of its dementia services. Although homes for those with dementia or the elderly mentally infirm fall outside the new process, the outcome of this consultation needs to be analysed, where appropriate, in the context of the new regional process. That will include Moylinney Care Home, which still has residents.

Of course, it is vital that, in thinking about how we can deliver services more appropriately and bring about the transformation that we need, we also keep our focus squarely on improving performance now in our health and social care system. The pressure on our acute hospital services is continuing, with over 1.5 million new and review consultation outpatient attendances a year, and more than 600,000 inpatient and day-case treatments. In addition, there are attendances at nurse-led clinics with care from allied health professionals and for diagnostic tests. Our hospitals also see some 725,000 emergency department attendances a year, 95% of which are new and unplanned attendances. So although the majority of people attending hospital receive a safe and effective service, no one can deny that the hospital system is under pressure. This is most evident in unscheduled care. The latest statistics show that, although performance improved significantly in May, the health service is not meeting the standard that 95% of patients attending an emergency department should be discharged or admitted to a ward within four hours, nor has it met the standard that no one should wait longer than 12 hours in an emergency department.

However, there are signs of improvement in hospital services. Those can be seen, for example, in the waiting times for elective care, where both the numbers of patients waiting and the length of time they wait are being driven down. At the end of March 2013, the number of people waiting for a first outpatient appointment was a little under 100,000, a decrease of 3.2% on the previous March. Significantly, the proportion of people who waited for less than nine weeks has risen to 80.2% — that is, four out of five patients — compared to 72.6% in March 2012.

Regrettably, there are still some patients waiting much longer than they should. Around 1,700 people were waiting longer than the 18-week maximum waiting time for outpatient appointments. That is a big improvement on the figure of nearly 10,000 in March 2012, but it shows that we need to keep focused on further improvement. Performance on the inpatient waiting times shows a similar trend of improvement. At the end of March 2013, 47,000 people were waiting for inpatient or day-case treatment, a 6.9% reduction on the previous March. Around 69% of those patients had been waiting for less than 13

weeks. I have maintained a strong focus on performance management of our system throughout the past year. Where it has been important to take action to address failings, I have not hesitated to take the necessary steps. On 10 June, I made a statement on the report produced by the turnaround and support team, following its analysis of the challenges facing the Northern Health and Social Care Trust. The team's report concluded that, with intensive support, the trust can improve and deliver the highest quality patient care and experience. I am fully committed to ensuring that the trust is provided with the support it needs to deliver improvement.

Looking to the near future, I have bid for £26 million as part of the June monitoring round to support improving waiting times for elective care in our hospitals. I will continue to press the HSC Board and trusts to deliver on the emergency and elective care targets in 2013-14. My Department is also taking forward the development of further information collection to support policy priorities, including future commissioning plan directions. I hope that that new information will further facilitate the benchmarking of Northern Ireland services against those of England

As part of the process of ensuring that we are appropriately monitoring and holding to account our service providers across the HSC, I announced my intention to make changes to the existing arrangements for assurance and accountability for the Department's arm's-length bodies (ALBs). The public needs to have confidence that the bodies are efficient and delivering high-quality services. We need to promote openness and transparency about the functions of the ALBs and the Department's oversight. Therefore, I am introducing public-facing accountability meetings to provide an opportunity for ALBs to be held to account by me on issues of public interest and to serve to raise public awareness of the important work of the ALB. The first public-facing accountability meeting will take place this evening with the Northern Ireland Ambulance Service. It will be the first of a series of meetings in which I hope the public will take a key role.

Although we face significant challenges in health and social care, there have also been many positive service developments that are already making a difference to service users. Over the past year, we have witnessed the opening of a range of new services, including the new molecular pathology laboratory and Northern Ireland Biobank, which supports people with cancer, and the new health centre in Downpatrick. I had the privilege of cutting a first sod at the £4.7 million extension to the Bluestone Unit at Craigavon Area Hospital and the £232 million new ward and acute services block at the Ulster Hospital. I am pleased to see the completion of the new £9 million A&E facility at Antrim Area Hospital, which is due to become operational shortly, and which will aid with patient flows in an enhanced environment. I am delighted that a new round-the-clock urgent assessment unit for surgical patients has been opened at the Royal Victoria Hospital. Feedback from patients indicates that they are happier with the shorter waiting times and the proactivity of the new unit. The new £150 million critical care unit on the same site is due to be handed over in February 2014 and will provide a far better facility than we have at present.

In dementia services, I can also report positive news. Building on the £1 million invested in memory services for people with dementia in 2012-13, I am delighted to

announce a further £1 million for that project for 2013-14. The memory services project has emerged from time spent listening to people with dementia and their carers, seeking their views about their experiences. Because of that engagement, investment is now targeted towards psychological support, Alzheimer's support staff attending memory clinics and follow-up support at home, if required.

#### 11.15 am

With respect to children and families, we are committed to learning from those on the ground. We have already embarked on a journey of early intervention, but I want to do more. For that reason, I am working with the Minister of Education, the Minister for Employment and Learning, the Minister of Justice and the Minister for Social Development, and with the First and deputy First Ministers and Atlantic Philanthropies to establish a cross-departmental early intervention fund. I am confident that we will have the fund up and running by April 2014.

The Executive have given a commitment to deliver a range of measures to tackle poverty and social exclusion through the Delivering Social Change framework. My Department is leading on the delivery of two out of the six Delivering Social Change signature projects announced in October 2012. Both projects will provide additional support to families who need our help most: first, by investing £3 million to extend the network of family support hubs across Northern Ireland, which will bring the total number of hubs to 25; and, secondly, by investing an additional £2 million to deliver a range of evidence-based parenting programmes.

I would like to take this opportunity to update Members on paediatric congenital cardiac services (PCCS). My overriding priority is to ensure the delivery of safe and effective services for all of those vulnerable children. I have received the paediatric congenital cardiac services working group's recommendation, endorsed by the Health and Social Care Board, on the future commissioning of the service. The recommended option involves building on the existing service provided by the Dublin paediatric cardiac surgery centre for the Belfast Trust. I met the Republic of Ireland's Minister for Health, Dr James Reilly, on 8 May to discuss whether there was any scope for flexibility in the location for the future delivery of the service. I asked Minister Reilly to consider a two-centre model, potentially providing PCCS services in both Belfast and Dublin. Consideration of the proposal is continuing at official level to determine whether such a model would be feasible.

We are also working to deliver a new primary percutaneous coronary intervention service model for Northern Ireland by 2014-15 to reduce mortality and morbidity arising from heart attacks. The planned introduction of the new service in the Belfast and the Western Health and Social Care Trusts will mean that patients having a heart attack will be taken to a catheterisation laboratory — cath lab — centre that is capable of undertaking the procedure 24/7. The Health and Social Care Board (HSCB) and the trusts are preparing for the managed introduction of the service so that patients can be assured of the safe delivery and administration of the new treatment. Implementation is being taken forward in three distinct phases. The first phase was completed in January 2013. It included full commissioning of available lab capacity and an increase in the number of weekly cath

lab sessions from 78 to 93. As part of my bid in the June monitoring, I sought funding to progress the Belfast facility in this financial year.

In the area of e-health and connected health, there have been some significant developments at local and international level over the past few months, with more on the horizon. I have explained on many occasions the potential for technology to improve patient care and help address the challenges to delivery in our system. Northern Ireland has much to share and also much to learn from Europe and North America in the development of healthcare solutions, and formal alliances are helpful in focusing those working relationships on areas of specific mutual interest. Earlier this month, we agreed a memorandum of understanding with the city of Oulu in Finland, through which we have undertaken to work together on health and social care transformation. That builds on a similar agreement that we reached last year with the Basque region. A further such agreement is being developed with Catalonia, and I hope that will come to fruition over the summer.

In Northern Ireland, we are working to implement our own regional electronic care record, with technical roll-out expected to be completed before the end of this month. The roll-out to clinicians will commence in the same time frame. I believe that we can build on this to make a valuable contribution to the development of a transnational interoperable electronic health record.

A key aspect of connected health is identifying and reinforcing the link between health and the economy, and that is reflected in the memorandum of understanding between my Department and Invest NI and in the work of the economy and jobs initiative task and finish group. The task and finish group was established by my colleague the economy Minister and I to identify opportunities to support economic development through the health and social care sector in Northern Ireland. It presented its recommendations last month and concluded that health and social care should be recognised as having the potential to be a major driver for innovation and economic growth.

I believe that the importance of that link cannot be overstated. Last week, for example, investment by Terumo BCT brought 416 jobs in health R&D to Northern Ireland. I would like to take this opportunity to record my congratulations to my colleague Arlene Foster on that achievement. I believe that our work in this field, and work on the health and prosperity agenda in general, is making Northern Ireland a place with tremendous opportunity for investment, research and innovation.

In addition to those services, changes and innovations, there are some key areas of policy work that will set the direction of health and social care for the coming years. I feel that it would be helpful to mention those in advance of the summer recess.

In respect of the public health strategic framework, my officials are in the process of finalising the framework, with input from other Departments, prior to submitting it for ministerial and Executive consideration. Subject to the approval process, the aim is to publish the framework in the autumn.

On adult social care reform, the consultation on the discussion document came to a close in March 2013, with 185 responses received and over 600 people attending

public meetings and focus group events. My officials are currently analysing the responses and will produce a report on the consultation in the next few weeks.

With respect to the review of paediatric services, I am expecting that consultations on the review will be published in the coming months, with the final document being published early in 2014.

On addiction services, the HSCB and the Public Health Agency (PHA) will be consulting on the future configuration of HSC-based inpatient treatment and rehabilitation services, with the formal consultation process anticipated over the autumn 2013 period.

My statement today is intended to provide Members with an update on the transformation of health and social care. The past year has not been without challenges, but I stand by the commitment that I made when I came to office in 2011, which is that I would not shy away from tough decisions that need to be made in order to ensure that the health service provides for every single person who needs it.

It is in the interests of all the community that we transform our services. Transformation can only be successful when it is embraced fully by those who are leading and those who are delivering the services. In doing so, we must also ensure that existing services continue to be provided without disruption. We need to promote and foster innovation in delivery of our health and social care to meet the challenges ahead. The tasks to be undertaken are not easy, and there will be difficult decisions ahead. However, it is necessary that we pursue transformation to ensure that we have safe, resilient and sustainable services for the coming decades. I am confident that we are on the right path to developing a health and social care service that will be sustainable into the future and that focuses on meeting the needs of our local communities, individual patients and service users. I commend the statement to the House.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. Apologies for being slightly late for the start of the statement. I was outside the Minister's office waiting for a pre-brief, but he stood me up. I will not take it personally.

There is a lot of detail in the statement, and I want to take the opportunity to welcome it. It is like an end of term report. I hope that I am not reading too much into it, but I hope that it is not the last statement that you will ever make as Health Minister. I welcome your commitment in the statement in which you say that you hold true to the core principles of the health service. I raised that with officials last week at the Health Committee, and I am glad that they listen to what members of the Health Committee say. It is important because the unions raised that with us, and, according to the unions, similar statements were made in the Welsh Assembly and in Scotland. Therefore, it is important that that clear message is sent out that you stand by the core principles of the health service.

To get into the detail of the statement, you said that the HSC Board is reviewing how changes to day care for people with learning disabilities are to be implemented across the region. Does that mean that individual trusts have already gone ahead and started to bring in their own changes to day care without a regional approach first being approved?

On the issue of waiting times, you congratulated yourself and your Department on the improvement in waiting times. That is something that the Committee has been looking at. Do you acknowledge that has only been able to be achieved because millions of pounds has been put into the private sector? Do you not accept that that is a quick-fix approach? How will we tackle the issue of waiting lists in the long term?

**Mr Poots:** On the latter issue, I accept that we have done that by using the private sector. I make no apologies for reducing waiting lists by using the private sector. It is absolutely important and essential that we tackle waiting lists. It may be a little inconvenient for people to travel to Limavady, Dublin or wherever it happens to be. Most people, however, welcome the fact that waiting times are coming down and that we are making a significant dent in them.

We want to see how we can do that better and ensure that we can meet our service needs whilst using the private sector less. We will continue to engage in that work to ensure that we maximise the number and level of services that we provide and that we continue to reduce waiting times.

We came through a difficult situation over elderly care. I certainly do not want to be in a similar situation over our learning disabled community, so I will make it very clear to trusts that we do not expect something similar in that arena. We must ensure that we can provide the care of the learning disabled on a regional basis.

There are concerns around post-19 issues, which touch the Department for Employment and Learning and the Department of Education as well. We designate people who are learning disabled at the age of 18, the same as any other adult. Some will have the capacity of maybe a two-year-old, and some a capacity of an age considerably older than that. Sometimes we pigeonhole the learning disabled into a category and lump them with everybody else. We should be more flexible around that period when we can further develop the capacity of learning disabled people and have them better able to meet the challenges of life that will face them.

**Mr G Robinson:** What services will be delivered from the new health and care centres?

**Mr Poots:** The new health and care centres provide us with an exciting opportunity. That is why I am keen that we have a roll-out of them. For example, we will have diagnostics; imaging; district and specialist nurses; health visiting; social care for older people; a children's centre, including Child and Adolescent Mental Health Services (CAMHS); dentistry; allied health professionals, including physiotherapy, podiatry and occupational therapists; speech and language services; a cancer health and well-being centre; and one-stop assessment. We also have the opportunity for voluntary groups to provide services in such facilities.

It is desperately important that we proceed with those centres. We have quite a number in Belfast. There is a centre in Portadown, with new centres going to Banbridge and Ballymena. Those were all procured conventionally. We decided to proceed with Lisburn and Newry as pilot cases, with the potential to roll private sector-funded facilities out to many other places across Northern Ireland. We can deliver real, tangible savings, on the one hand, and huge benefits to the community, on the other, by

bringing high-quality care closer to home and ensuring that people can receive a level of care in the primary sector that will avoid hospital admissions. It all makes sense that we go down that route. It is good for people who need care and good for government, and that is why I want to get on with it.

**Mr McDevitt:** I welcome the statement. However, I do not welcome the fact that we received a little over an hour's notice of it; that it runs, by my word count, to about 4,000 words; that it contains the announcement of at least seven distinct new areas of public policy; and that it will be subject to limited scrutiny because the Whips agreed that we would allow only one Member per party to ask questions during statements so as to expedite the business of today.

My questions to the Minister are: on what grounds of public policy did he override his permanent secretary's advice on the business cases for the proposed new Lisburn and Newry centres? What steps does he intend to take to make sure that decisions that run against the will of the House and against the clear, determined and expressed view of the majority of respondents to the consultation on Transforming Your Care are tested not by means of a statement but by means of a proper, legislation-based, policy-making process?

#### 11.30 am

**Mr Poots:** First, I did not "override" anybody's decisions. Ministers are here to make decisions; civil servants are here to make recommendations. I think that we as politicians should ensure that that always remains the case.

A recommendation did come forward. Given that government can generally borrow money at a lower rate than the market, the suggestion coming from the economists is that it would work out cheaper to do that by the conventional means as opposed to going to the market. However, what is important here is that the facilities would not be developed any time soon, because we do not have the money. It is as simple as that; we do not have the money in the system.

The Member's party participated in a debate last week in which it wanted all the money to go to roads as opposed to healthcare. I do not make any apology for fighting for my healthcare estate, for seeking to improve my healthcare estate and for seeking to bring services locally to the people. I am sure that the people of Newry and Lisburn will be listening and paying attention to the SDLP saying, "We don't want these excellent new facilities that will bring better services closer to you." The SDLP does not want such facilities in Newry or Lisburn and to then have them rolled out across the rest of the Province. I make no apology for driving the agenda forward and for taking decisions as a Minister, and I will not be afraid to make decisions as a Minister.

**Mr Beggs:** I too welcome the Minister's statement. He referred in particular to the additional £26 million bid for resource funding. He also referred to enabling GPs to refer directly to our hospitals. Does the Minister accept that that will be problematic when some of our hospitals, such as that in Antrim, have had 95% occupancy, with few free beds? Will he ensure that there is a good flow of patients through A&E, that we do not have trolley waits and that

the beds will be available? Does he accept that, until that issue is resolved, there is a continuing need for respite and rehabilitation beds in the community?

**Mr Poots:** I thank the Member for the question. I believe that direct admissions from GPs will assist our hospitals. That is because a course of work will be done before the person goes to hospital. The problems and so forth will be identified, and the patient will not have to go to an emergency department or go through all those procedures. I think that that is certainly a significant step forward for our frail elderly. Many GPs are now using that service in a much better way, and consequently, things are improving on that front.

I should say that I welcome that the Member raised the matter of Antrim Area Hospital. The new A&E unit will be open this week, the 24-bed facility is opened, and we have a new management team in the hospital. I agree with the clinicians who today said that the building will not do it and that it will take more than that. We changed the management team to ensure that there was a real application on delivering better services in that facility. I do not want to over-egg it, but I think that we have seen a significant improvement over the past seven weeks. I do not believe that there have been any 12-hour breaches, and that is coming from a place where there were hundreds of 12-hour breaches a month. So, there is a lot of work to be done, and there is still the capacity for things to go wrong and for problems to arise, but all the indications and signs are positive, and they show that things are improving in that hospital. That pleases me greatly.

**Mr Buchanan:** I thank the Minister for his statement. I note that he said that the Belfast Health and Social Care Trust and the Western Health and Social Care Trust are introducing a new cath lab service. Can the Minister elaborate a little more on the outworkings of the cath lab and what it will mean for the future of patient care?

**Mr Poots:** Cath labs are regularly available now. However, they are often available only between 9.00 am and 5.00 pm. Unfortunately, people have heart attacks between 5.00 pm and 9.00 am. Therefore, 24/7 cath labs are very important. The truth is that the quicker we can get people into cath labs and have their stents installed, the more lives we will save and the more healthy years people will have thereafter. It is believed that, for every hour of delay in getting to a cath lab when someone needs a stent, a person will lose a year of their life. That is why I say forcefully that the local hospital is not the place to go if someone has a heart attack. People say that they want to go to their local hospitals to be stabilised. You do not want to go to your local hospital to be stabilised: you want to go with paramedics straight to a facility that has a cath lab in order to have stents installed as quickly as possible, because you will have many more years of life as a result. I am delighted that we are moving ahead with 24/7 cath labs. They will save many lives, and they will ensure that many people will have more healthy years of life.

**Mr McCarthy:** This morning's statement was very lengthy, and it was received very late. I refer to the last paragraph, in which the Minister states that the health and social care service will be:

*"one which focuses on meeting the needs of our local communities, individual patients and service users."*

How can he reconcile that with the decision to close the last health provision facility in my constituency village of Ballygowan, which is a growing village? There is no further health provision in that town. The Minister states that he wants to bring health services to local communities. Can he also give us some confidence that he will ensure that there will be a shift in resources into community-based services to match the proposed changes in service delivery, given what is already happening with shorter hours for carers and, indeed, fewer people qualifying for services because the criteria for meals on wheels, etc, have risen?

**Mr Poots:** I am aware of the Ballygowan issue. Members have raised it with me. As the Member knows very well, GPs are private contractors to the health service. GPs provide those services and they made that decision. That decision was made outwith my Department and outside its control. The GP private contractor decided to run that service from a site that is a short distance from Ballygowan. In that respect, I have no control over it.

**Mr McMullan:** I thank the Minister for his statement. He mentioned that Rathmoyle care home is earmarked for closure. That has been the case for a number of months. When the supported living scheme starts, can the Minister clarify what the position will be with regard to day care facilities for children with special needs who attend there? Will he consider the present resource centre in Cushendall as an alternative in order to bring that service back to the community and do away with daily trips of up to nearly 35 miles for those children? Go raibh maith agat.

**Mr Poots:** I thank the Member for his question. I refer him back to my statement. Quite some time ago, Rathmoyle care home was identified for replacement by a supported-living facility. I deem that to be positive. However, as I said in my statement, I have to be satisfied that all the processes are being followed through, people are being properly consulted and we are taking proper account of everything that is going on. The Member has raised issues. I trust that those issues will be raised through the process and that we will deal with them, identify solutions and seek to meet the needs of all the people who are involved.

Recently, Minister McCausland and I opened a facility in Downpatrick.

I encourage people to visit such a facility. There is also one in Carrickfergus, and there are others elsewhere in Northern Ireland. I encourage Assembly Members to visit those facilities. Residents, carers and families have all said that they are better. That is what we want — better care for our elderly. We want to manage residents in existing facilities in a much better way than was the case a few months ago and to ensure that that situation does not happen again. However, the outcome that we want to have in a number of years' time is better facilities for our elderly population.

**Ms Brown:** I thank the Minister for the very detailed statement to the House this morning on taking forward transformation. If welfare reform is rolled out in conjunction with or parallel to Transforming Your Care, will the Minister ensure that, if required, extra appropriate support is made available to carers, who are obviously an integral and important part of Transforming Your Care?

**Mr Poots:** First of all, carers are absolutely critical and essential to us and, more importantly, to the individuals whom they care for and support. We know that many carers' family finances rely on income from carers on disability benefits, and there is a risk that any changes to the benefit system could have an impact on their capacity to continue to provide care. So, I welcome the fact that the UK Government have not announced any plans to change the carer's allowance and that it will remain outside universal credit.

The first step in accessing support services is to have a needs assessment. Carers have a statutory right to an assessment and to be considered for services to meet their own needs. The Northern Ireland carer's support and needs assessment looks at each carer as an individual with their own personal circumstances, identifying any particular needs that they might have as a result, to allow for the provision of targeted support in order to assist the carer in their caring role.

**Mr Gardiner:** I thank the Minister for his statement this morning. At the time of the Compton review, the Minister said that these changes could be made if supplemented by an extra £70 million of traditional funding. In light of the ongoing significant monitoring bids that he is making, what does the Minister envisage the final transitional cost being?

**Mr Poots:** We are still looking at around £70 million, but that can be flexible. We might need a few million more; you never know. I am sure that the Finance Minister will be generous if that is required. I might as well put my bid in now. Nonetheless — being serious — I greatly appreciate the support that I have received from the Finance Minister in assisting us with Transforming Your Care and driving an agenda that will change services, so that we can invest to save, improve services to the public and ensure that the public can be part of that change process and make that difference. We will continue to bid for funding as appropriate and seek to ensure that we deliver that change, which will ultimately ensure that we have a more efficient, leaner and fitter health service that is better equipped to meet the needs of the public.

**Mr B McCrea:** This is a lengthy statement delivered by the Minister in a condescending, complacent and cavalier manner. In response to Mr McDevitt, who had the temerity to challenge him, the Minister said:

*"We do not have the money".*

Does the Minister now have sufficient resources to deal with his failure to meet the target of 95% of patients being seen within four hours of attending an emergency department, with no one waiting for 12 hours? The Minister was very critical of the previous Health Minister, Mr McGimpsey, when he was looking for additional resources. I would like to know whether he now feels that he has sufficient resources to do his job properly?

**Mr Poots:** I am not sure how the Member could conclude that I was all the things that he suggested when, clearly, he was not listening to anything that was actually said. He did not hear that waiting lists have gone down —

**Mr B McCrea:** *[Interruption.]*

**Mr Poots:** — that elective times are going down, that there are significant improvements across the health and social

care system and that things have actually got better, in spite of the fact that we were told that —

**Mr Deputy Speaker:** Order, please. The Minister will resume his seat while I remind Mr McCrea that you do not shout across the Chamber from a sedentary position.

**11.45 am**

**Mr Poots:** I was just about to remind him that the previous Minister had been making us aware that we were about to go bankrupt, that we would be in chapter 5 and that there would be 4,000 pay-offs, and Mr McCrea was one of his cheerleaders. I did not pay much attention to Mr McCrea then, and I do not think I will pay much attention to him today.

**Mr Allister:** The Minister boasts in his statement that there will be a reduction of beds in our hospitals. Through his policy of closure of care homes by stealth, he is going to remove the facility of hundreds of beds in respite and intermediate care. Has the Minister no fear that he is sowing the seeds of further problems in our health service? Delivery is about a lot more than verbose statements to this House.

**Mr Poots:** I did not boast about anything. What we intend to do is to bring care closer to people's homes. Last week, I was in a home in Randalstown, where a lady who would have been in hospital was with her district nurse receiving antibiotic treatment. The nurse was working with the consultant in the hospital and providing care under hospital at home. The lady was absolutely delighted with the care that she was receiving, and she was not taking up a hospital bed. This is a vision for the future, and I refer Mr Allister to the scriptures:

*"where there is no vision, the people perish".*

I have a vision for the health service, which is to bring healthcare closer to people's homes, where they will get the appropriate support and service and where they will have the care that they need. That can work and does work. We will face challenges; it will not be without its problems because healthcare is never easy. There has never been a time when there have not been problems, but I am very proud that we are doing many things to facilitate the public to ensure that they get better quality care. I think that many people are recognising that. We have more challenges to face, but we will face those challenges and continue to improve the service.

**Ms P Bradley:** I thank the Minister for his comprehensive statement and apologise for missing the beginning of it. In the Health Committee last week, I asked some questions about direct payments. I have had experience of those working extremely well and also being absolutely disastrous. What reassurance can the Minister give that direct payments for older people will be a success?

**Mr Poots:** Direct payment is where a trust service user gets a cash payment in lieu of the services that have been available. In 2004, a statutory duty was placed on trusts to offer direct payments to people assessed as needing services and to whom they had agreed to provide services. Initially, older people were under-represented as a group in receipt of direct payments, but this is changing, with more older people opting to receive their social care support as a direct payment as the benefits of personalisation become more widely recognised. It has to be acknowledged, however, that direct payments do not

suit everyone. It is important that the trusts only provide a direct payment with the informed consent of the older person. In order to provide a direct payment, a trust must be satisfied that the services for which the direct payment will be used will meet the assessed needs of the older person and that they will be able to manage their payments appropriately, with assistance where necessary. The trusts need to use care management processes to monitor the delivery of the agreed care plans and to discharge their responsibility to ensure that direct moneys are being used efficiently by the recipients.

**Mr Allister:** On a point of order, Mr Deputy Speaker. As we approach the end of this session, with only two more sitting days, would it be in order to ask whether there is any indication that any of the four Ministers in OFMDFM will find time to come to the House to make a statement on the economic pact that they told us was reached some 10 days ago?

**Mr Deputy Speaker:** Order. I question whether that is a point of order, but I understand that Ministers may come to the House to make statements.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. Is it in order to ask whether there is any possibility of looking at the length of statements brought to the Assembly? It is quite difficult to do justice to the oversight and scrutiny of such a lengthy statement.

**Mr Deputy Speaker:** The length of statements is entirely up to the Ministers. I am sure that they listened carefully to what you said.

## Executive Committee Business

### Public Service Pensions Bill: Second Stage

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That the Second Stage of the Public Service Pensions Bill [NIA 23/11-15] be agreed.*

The object of the Bill is to introduce major changes to public service pensions in Northern Ireland from April 2015. The Bill that I proposed in the Assembly on 26 November 2012 gives effect to the principles of the pension reform agreed by the Executive on 8 March 2012, particularly the agreement to commit to the policy for a new career average revalued earnings (CARE) scheme model, with pension age linked to state pension age to be adopted for general use in the public service schemes; and to adopt that approach consistently for each of the different public service pension schemes in line with their equivalent scheme in Great Britain and not to adopt different approaches for Northern Ireland. The Bill protects the benefits already earned by members of existing public service pension schemes and allows continued membership of those schemes for certain categories of people who are closest to retirement.

The reforms were recommended by the Independent Public Service Pensions Commission in its final report, which was published in 2011. The recommendation to adopt a new revised pension scheme design was viewed as addressing the impact of the long-term scheme costs for taxpayers and employers. The report also recommended that a general increase in pension age across the public service pension schemes, with the exception of those in uniformed services, should be linked to state pension age to facilitate trends for increasing life expectancy.

The Bill is an enabling piece of legislation, with entirely permissive legislative powers. It will have a cross-cutting effect for the devolved public service schemes in Northern Ireland, and it provides a framework containing core provisions for pension reform that will extend across public service schemes made for public service employments in the Civil Service, the devolved judiciary, local government, teachers, the health service, the Fire and Rescue Service and the Police Service.

**Mr Allister:** Will the Minister give way?

**Mr Wilson:** Yes.

**Mr Allister:** Can the Minister say whether it will extend to the North/South bodies and the very lavish pension arrangements that exist for them?

**Mr Wilson:** It will extend to the North/South bodies. Although they are not listed in the bodies to be covered, there is provision for bodies to be added. North/South bodies will be added; they will have to be included in time for the legislative timetable. I have already had discussions with the Minister in the Republic on this issue. Obviously, it will affect those who work in North/South bodies in Northern Ireland and not those who work in the Irish Republic. I assure the Member that North/South bodies will be included. I was as concerned about that issue as he would have been.

The powers in the Bill will supersede existing powers to create schemes for the payment of pensions and other



benefits for the employments and devolved offices listed in the Bill, which are contained in the relevant current legislation pertaining to individual public service pension schemes. The Bill will not contain detail on individual scheme designs. Those designs will be set out in the regulations and scheme rules for each scheme under their secondary legislation, and will provide scope for each relevant Minister to consider what variations may be appropriate in their scheme design. They will also — this is important — ensure that they keep within the parameters of cost and the overall core provisions set out in the Bill.

Adequate time must be provided to develop the scheme designs and to finalise the secondary legislation and processes to meet the commitment to have reformed schemes in place before 1 April 2015. This secondary legislation process may take up to 10 months. Therefore, the primary legislation must be enacted by April 2014.

The Chief Secretary to the Treasury made it very clear, on 3 December 2012, that a proportional reduction will be applied to the Northern Ireland block allocation if legislation to reform devolved public service pension arrangements in Northern Ireland is not concluded to the deadlines contained in the Westminster Public Service Pensions Act 2013. The deadline for reform for the schemes made for public employments listed in clause 1 of the Bill is 1 April 2015, with the exception of the scheme for the local government workers, which has a deadline of 1 April 2014.

The Department has undertaken an analysis of the financial effects of not implementing the core provisions of the Bill to the relevant timescales. A more detailed analysis was requested from the Government Actuary's Department (GAD) by the unions and the Committee for Finance and Personnel. The new estimate — I do not think that they will want to hear the news, because I think that they felt that I was exaggerating the figure — puts the overall projected cost of one year's delay at around £300 million each year, which is an increase from the previous estimate of £262 million. However, we have known all along that there would be a cost and that it would be significant; the important issue is to focus on getting on with the legislative process to avoid this extremely costly financial penalty.

The Department continues to be engaged in central consultation on the Bill between representatives from the Northern Ireland ministerial Departments with responsibilities for the main public service pension schemes and a collective trade union grouping led by the Northern Ireland Committee of the Irish Congress of Trade Unions, which represents each of the public service employments within the Bill's remit. The Department consulted, from 21 January 2013 to 15 April 2013, on the policy carried in the Bill.

I now turn to the provisions of the Bill. The Bill has 37 clauses and 9 schedules; therefore, it would not be appropriate to discuss all specific proposals in detail at this forum. Full details are contained in the explanatory and financial memorandum, although I will provide a brief overview.

The Bill is modelled on the Westminster Public Service Pensions Act 2013. The core provisions are a move to a career average revalued earnings scheme model of pension saving; a direct link to equalise schemes' normal pension ages with the state pension age, except for the

police and fire and rescue services; a normal pension age of 60, subject to regular review, for the police and fire and rescue services; a final salary link for any final salary pension accrued prior to the date at which the new schemes will commence; a cost cap with a default mechanism to maintain costs within set floor and ceiling limits; transitional protection for scheme members who were within 10 years of their scheme normal pension age on 1 April 2012; and revised measures for scheme governance.

Clause 30 provides that new pension schemes may be created for those bodies and offices whose pension schemes are restricted for future accrual under clause 31 and whose members cannot join one of the schemes established under clause 1. It also governs the design of pension schemes that are set up in the future or established under future legislation for public bodies, unless future legislation makes specific, different provision.

The policy intention is that all public service employments should be reformed to the same timescales as the main schemes specified in the Bill, although these bodies will not now be mentioned in the Bill.

It will contain certain powers for my Department to specify by order named public bodies that have not been captured by the categories that have been mentioned. Indeed, should the timetable be delayed, clause 1 provides for such bodies to be added. That is the point that Mr Allister raised.

#### 12.00 noon

Clause 3 incorporates a change to the consent regime for the local government pension scheme, as that scheme is now subject to DFP approval. That will provide consistency of approach across all the main public service pension schemes in Northern Ireland by aligning the local government pension scheme here with the other main schemes. The change has also been applied to the Public Service Pensions Act 2013 regarding the consent regime for local government schemes in England and Wales.

Clause 1 provides new provisions that will enable the Department of Justice in future to make pension schemes for holders of devolved judicial offices. Clause 35 makes financial provision for such an eventuality.

The Attorney General has confirmed that the Bill is within the Assembly's legislative competence.

My officials briefed the Finance and Personnel Committee on the Bill, and I look forward to maintaining that constructive working relationship over the coming months.

The Bill provides a necessary reform to manage the long-term costs of public service pension provision. It also provides a framework to ensure flexibility to enable Departments to determine their secondary legislation and to ensure that it is properly implemented in time. It is also an equitable and fair way to ensure a fairer and sustainable distribution of the costs of public service pensions between employees and employers, with employers in this instance ultimately being the taxpayer.

I look forward to the Assembly's support in taking forward the proposals and to Members' comments in the debate.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. Mindful of the background

and context of the Bill, the Committee for Finance and Personnel has been proactively gathering evidence on its policy aims over recent months in advance of its being introduced to the Assembly.

Following the Executive's decision not to agree to the proposed approach of a legislative consent motion (LCM), the Department of Finance and Personnel (DFP) set out plans to introduce a Bill to give effect to pension reform here. We heard how, if we are to keep pace with the equivalent Westminster legislation and avoid incurring associated Treasury-imposed penalties, the Department's plans require the Bill to complete the legislative process by April 2014 and for the related subordinate legislation to come into operation by April 2015.

DFP's timetable envisages the Committee Stage concluding by the end November this year, subject to the Bill's principles being agreed today. For its part, the Committee is committed to endeavouring to ensure that the Bill proceeds promptly. To that end, since January last, it has held a series of separate briefings with DFP officials and with a panel from the trade union side, with follow-up correspondence as necessary. That work was aimed at collecting a comprehensive evidence base in advance of the Bill's being introduced, and the output from that exercise was placed on the Committee's web pages to inform the wider Assembly.

Given that we are debating only the principles of the Bill today, I will not go into detail on the full range of issues that was discussed during the three separate evidence sessions with DFP officials and trade union side (TUS). However, the headlines are that the Committee has sought information on the following: the full details of the pension schemes and associated stakeholders affected by the Bill and the implications that it will have for each scheme; clarification on how the drafting of the secondary legislation will be sequenced for the Bill; details of how the initial estimated cost of £262 million per annum to the block grant for a failure to implement the reforms was calculated; and clarification on whether Treasury will impose that deduction from the block grant on the Executive in such circumstances.

The Committee also sought information on the areas in which there would be scope to vary from the Whitehall approach; information on the revised measures for the management, regulation and administration of the various pension schemes; full details of the equality screening that has been undertaken to date; and an assessment of the implications of the agreed amendments to the Westminster Bill; detail of the legislative provisions that allow for the transfer of staff from one scheme to another; illustrative examples of how the shift to career average revalued earnings will be applied in different cases; clarification on whether the proposed ministerial power of direction for scheme valuations will be subject to Assembly control; and detail of DFP communication with other Departments about the full scheme triennial assessments.

On the latter point, to more accurately assess the implications of the proposed reforms locally, including the cost or savings forgone due to any decisions not to implement the reforms at a scheme level, the Committee recommended that the full scheme triennial actuarial assessments are revived and completed, and the findings of those assessments are shared with all relevant parties, including the trade unions; and that the Department take

up the offer from the Government Actuary's Department (GAD) to calculate the estimated savings from the proposed reforms in relation to each of the relevant local schemes.

As we have heard from the Minister, the Department agreed to commission the additional work from GAD, which resulted in a revised estimate of £300 million in savings per annum, based on the detail of each scheme. The results of this further work and the Department's willingness to commission it are to be welcomed in assisting the Committee's deliberations. However, we should be mindful that it provides only part of the picture.

From DFP and TUS evidence, and the work of the Assembly Research and Information Service, it was evident that a full macroeconomic analysis or appraisal of the proposed pension reforms has not been undertaken, either locally by the Department, in Britain by the Treasury, or as part of the initial Hutton review. In their evidence, TUS representatives emphasised the need to assess the impact of increasing the age of retirement, particularly in respect of displacing the labour market and the correlation with youth unemployment. The trades union representatives explained that in straightforward terms: if you keep someone in work five years longer, someone else will not get that job for five years or until it becomes free. TUS also indicated that it has done some work itself on macroeconomic analysis. It referred to work done by the Nevin Economic Research Institute on youth unemployment, and expressed a willingness to assist the Department in meeting the cost of a wider appraisal exercise.

In addition to pursuing the issue of more accurate direct cost or savings estimates from GAD, the Committee recommended to DFP that research be carried out to address the absence of a wider macroeconomic appraisal. However, the Department has indicated its reluctance in that regard, emphasising the scale and complexity of such an appraisal. Using the Hutton review as a comparator, the Department suggested that such an exercise could require a similar period of nine months to complete and that the cost could potentially reach several hundred thousand pounds.

Given the significance of the proposed pension reforms in the context of the predominance of the public sector in our local economy, I believe that the absence of an understanding of the full costs and benefits — direct and indirect — of the proposals presents us with a real dilemma. Indeed, it raises the question of why Hutton did not examine the full picture initially. Moreover, perhaps an opportunity was missed to press for Hutton to undertake a full appraisal before considering any Treasury attempt to impose the reforms in an area that is devolved to the Executive and the Assembly.

At its meeting on Wednesday this week, the Finance Committee will consider the options for addressing the absence of a macroeconomic appraisal and, in advance of doing so, has sought clarification from the trade union side on the extent to which it is prepared to support the commissioning of such work. I will not pre-empt the Committee's decision in that regard, but this is clearly the major issue arising from our scrutiny to date.

Other issues remain to be teased out in more detail, not least any equality or human rights implications arising from the proposals. The Committee has invited submissions

from the Equality Commission and the Human Rights Commission. Given the issues raised by the trade union side to date, I expect that to be another area of focus at Committee Stage.

As the Minister outlined, the Bill will result in a raft of subordinate legislation to reform the various public sector pension schemes. It will be vitally important, therefore, that the Bill is also considered by the other Statutory Committees, which will be individually responsible for scrutinising the resultant subordinate legislation relating to the particular schemes within their departmental remits. That includes the arm's-length bodies as well, so it is not only an issue for the Department or the Committee for Finance and Personnel. Because of that, the Committee wrote to the other Committees at an early stage to draw attention to that point and to share relevant papers and evidence received to date. Subject to the Bill being referred to Committee Stage, the Finance Committee will be seeking formal written submissions from the other Committees in the period ahead and will be issuing the usual public call for evidence.

I have outlined how the Committee has prioritised the scrutiny of the policy aims of the Bill in its work programme over recent months. Although that has thrown up a number of key considerations that remain to be addressed, I should also point out that the Committee has not, as yet, undertaken any detailed technical scrutiny of the Bill as drafted. Subject to the passage of today's stage, that will be a further area of focus during the Committee Stage scrutiny. In particular, given that it is an enabling Bill, it will be vitally important for the Finance Committee, and, indeed, the other Committees, to examine carefully the delegated powers that will be provided for in the legislation.

To conclude from the Committee perspective, I reiterate my earlier point that the Committee will continue to support the Minister in the process in ensuring that consideration of the Bill is given absolute priority. However, I caution that that should not be at the expense of robust scrutiny. All reasonable steps will need to be taken to facilitate informed decision-making on those significant proposals. Any final decisions need to be on the basis of being cognisant of the full implications for the provision of public services, for the individuals who deliver those services and for the wider local economy.

I will make a few brief remarks as an individual Member. A number of occupations and trade unions have made representation to the Committee, one of which is the Fire Brigades Union. Many firefighters — this has been an issue across the water as well — are opposed to the concept of working until they are 60. The Williams report, which was flagged up by that particular union, found that a large number of members would be unable to achieve pension age. There were also concerns about the fitness standards and the ability of firefighters to work beyond 55. That highlights a question that the Committee needs to consider. How does changing the retirement age for many of those public service organisations, especially those with physical demands, impact on public service delivery?

As I have said in my position as Chair, that is not something that we have found any conclusions on to date, but we need to take a careful look at those types of occupations — firefighters, police and others — and consider the evidence. Hopefully there is some evidence, because the main issue that I have found from our

consideration to date is that there seems to be a lack of evidence on all sides, to be fair, in regard to the proposals coming forward. We need to be cognisant of some of the proposals on the retirement age of firefighters and others. We need to ensure that that does not have a knock-on effect on public service delivery, especially emergency services.

To conclude, I look forward to the Committee Stage of the Bill. There is still a lot more detail that the Committee needs to look through. I think it is important to emphasise again that, for all sides of the argument concerning the Bill, the Committee needs to see more evidence, more detailed proposals and detailed background to some of the arguments that are coming forward, because I do not feel that the Committee has got that to date.

**Mr Girvan:** I too support moving on to the Second Stage of the Pensions Bill, but I do not totally agree with everything that the Chair has said. A number of figures were mentioned. The first figure that came from the Government Actuary's Department was £262 million. When that figure was revised with a little bit more work to break it down on a departmental basis — because that is what the trade unions asked for — instead of going down, it went up to £300 million. I think that the figure was rounded up to the nearest £10 million in each area just to make sure. I understand that the biggest figure was for health, which came out at £110 million, followed by £60 million for teachers, £60 million for the Civil Service, £10 million for the Fire and Rescue Service and £60 million for the police.

#### 12.15 pm

In light of the evidence that the Committee received, I have to agree that a very strong case needs to be made for the Northern Ireland Fire and Rescue Service firefighters who have difficulties. Age and fitness are key areas that need to be considered and taken into account. However, as Northern Ireland would lose out dramatically from its block grant by an estimated figure of £300 million, it is important that we move ahead in a positive way.

No one gets anything for nothing, and some people will have to suffer because of some of the changes that have been made to the length of time that people will work or will have to work. However, some of the figures that came from the trade unions were works of fiction, to be truthful. The areas where they indicated that savings that could be created by young people getting into work would cost in the region of hundreds of millions for Northern Ireland, which, realistically, indicated that jobseeker's allowance in Northern Ireland must be the best that is available anywhere, not just in the UK but, probably, around the world. As far as that was concerned, I thought that there were areas that needed to be looked at.

The career average revalued earnings pension scheme, which everyone knows as CARE, is just a new way of calculating what someone has earned on average over their lifetime. We have witnessed this in recent days; many of us have sat on Committees and have heard about people moving into top positions a year or less before they retire. This goes on daily, and we heard about it in the Public Accounts Committee recently. People retire from public-paid positions having virtually doubled their wages in their last year. The consequence of that is a very big increase in the final pension that they receive from

the public purse. Those sorts of practices have created a problem that needs to be addressed, and this process goes some way towards that.

There are additional costs that we cannot fund and where we cannot make major changes. We are getting some changes to welfare reform in Northern Ireland, and we are having to find that money elsewhere. In doing so, we cannot continue to sit back. If we are going to make changes that will cost £300 million, where are we going to cut that from? Are we going to cut it from schools or health? If you mention that to the trade unions, they think that we should just print more money and keep it coming. Unfortunately, that is not the case; someone has to find the way forward.

The GAD figures were not playing in their favour. They thought that it would give us a figure that was not right. The Chair said that more evidence is needed in relation to that matter, but the evidence that we have to date shows that an increased amount of money would be coming forward. I understand that if we do not have this process in place, penalties will be imposed on Northern Ireland from April 2015. So, it is vitally important that we move ahead on that basis. The proposal was brought to this House in November 2012: the Minister moved it on 26 November 2012. As a consequence, the consultation took place, as the Minister alluded to, between 21 January 2013 and 15 April 2013. Consultation has already taken place on quite a bit of that.

We have had numerous evidence sessions on this matter. We have heard the caution from those who are in communication with Whitehall and are giving us the detail on what is coming forward in our Budget for further years.

**Mr McQuillan:** I thank the Member for giving way. Does he agree that the arrogant attitude of the unions and the way in which they present their case is also not helpful?

**Mr Girvan:** I appreciate that unions have a job to do, which is to represent their members. In doing so, they have probably been facetious. However, they have not come forward with solutions on how we can deliver some of their grandiose ideas to continue on as we are.

With change of any fashion, there will be those who fight against it. It is vitally important that we try to get the best deal for those in the public sector in Northern Ireland. That is what we will be doing, but we cannot do that and fail to deliver services. Services will be cut should we have to make that reduction from our block grant.

I support the Bill passing its Second Stage. This is a very important issue, although there are many people who are not that interested in it going by the attendance in the Chamber. It is vitally important that we make these decisions and move ahead.

**Mr Durkan:** I will outline the SDLP's opposition to the passage of the Public Service Pensions Bill. The Bill represents a further attack on public sector workers who have already faced pay freezes and a rise in pension contributions as a result of previous legislation. This further attack is being pushed through the Assembly by the Finance Minister at a time when his colleagues, and indeed those from all other parties in the Assembly apart from the SDLP, are seeing their salaries rise. That the Minister can throw around figures threatening the block grant at a time when his colleagues have accepted that

pay rise makes me incredulous. I know he did not get one, before he corrects me.

**Mr McCallister:** I thank the Member for giving way. Does he accept that, while he has not accepted the pay rise, we are talking about pensions and he will get the benefit of the increased pension?

**Mr Durkan:** I thank the Member for his intervention. Increased pension contributions will result in a reduced net wage for public sector workers, whom I am standing here to protect and represent.

This legislation means further hardship for a sector that makes every aspect of public life possible. This legislation represents another kick in the teeth for our teachers, health service workers, Fire and Rescue Service workers, civil servants, local government workers, devolved judiciary and members of the Police Service. Those are the women and men without whom we could not function as a society, yet the Executive are content to continue to allow Westminster-led policies to trample all over them. Public service workers will, as a result, have less disposable income due to increased contributions. That will have a harsh impact, especially in these challenging economic times and particularly on those on lower incomes. This is a clear attempt to make public servants carry the can and pay the price for an economic mess that was not of their making.

The SDLP shares the fears communicated to the Finance and Personnel Committee by public service representatives NIPSA that reductions in incomes for public services workers will lead to a greater reliance on welfare benefits and exacerbate pensioner poverty.

Although the Minister can threaten that £262 million will be lost to the block grant — sorry, that figure has conveniently risen to £300 million in time for this debate — without a fully detailed explanation of where those costings were estimated, I fear that there has also been a lack of assessment of the increased reliance on and cost to the Social Security Agency, which leaves the Assembly in the dark as to the real cost of this legislation.

A further, wider problem that this legislation creates is the impact on public service, particularly as the increase in pensionable age will mean that older individuals will be forced to work longer and into what is now, rightly, considered old age. That will have implications for the health of the public service workers and, in some cases, the quality of service. That is not to mention the physical demands of some jobs. A couple of Members have already spoken of firefighters. There is a risk to the safety of such workers themselves and to the safety of the public in forcing people to work in such demanding and important jobs that may be beyond their physical capability.

It is widely accepted that there is a direct correlation between old age and poor health. The SDLP fears that, as the Executive plough ahead with rubber-stamping Tory welfare and pension cuts, the people that the legislation forces to work into old age will have no option but to continue to work even should they become ill, ironically because they have worked all their life, because there will be no support system to fall back on.

Moreover, forcing hard-working public servants to work longer for less could ultimately result in resentment and have a negative impact on the quality of service delivered.

For example, teachers working beyond retirement age out of necessity rather than choice may become demotivated and disillusioned, which will obviously have a negative impact on the education of our children. It will also result in the reduction of labour market opportunities for the unemployed, school and university leavers and those seeking to return to the labour market. Those implications for this region have not been considered fully.

The SDLP has consistently voted against these changes. In Westminster, our MPs voted against this legislation and specifically highlighted our concerns about the retrospective elements of some of the measures. Our Minister, Alex Attwood, has made several written representations to the Minister of Finance and Personnel outlining his concerns about the Bill from a Department of the Environment (DOE) perspective. The SDLP also voted against these measures at the Executive. The SDLP is committed to making devolution work. We are committed to not simply rubber-stamping Westminster policies but, instead, listening to the needs of the public sector and testing the boundaries of parity.

This attack on the public sector represents yet another example of the DUP and Sinn Féin-led Executive's failing to make this Assembly work for the people of the North. Again, it shows a sheer reluctance to fight for a better deal for the North. It is a prime example of lazy government and a shabby attempt to pass the buck again and say, "It is not our fault; it is parity." Parity should not be mistaken for parrotry. What is the point of devolution if we are unwilling to maximise its potential to suit our region and benefit our people? That is particularly important in this region where, proportionately, many more people are employed in the public sector.

Since the Minister's announcement that he was to bring this legislation forward, my party colleague Dominic Bradley has said that it is not good enough for the Assembly simply to replicate the legislation from Westminster. Mr Bradley called for the establishment of the Assembly's own pension legislation, but that may have been too big an ask for the Minister.

These reforms are designed primarily to address cases in which excessively large pensions are generated as a result of a final salary link on very high income. We believe that more progressive and redistributive measures should be considered to save more money at the top end of the scale and protect those on middle to low incomes.

### 12.30 pm

We are not blind to the need for pension reform. We oppose the legislation today because it does not protect those lower-paid public service workers. We do not accept that a full consultation process or impact assessment for this region has been conducted. The SDLP is adamant that DFP could and should do more to test the constraints of parity and has consistently failed to gain a better deal for this region. We see our role as legislators, and we are willing to work, as Dominic Bradley said, to pass our own pension legislation and to guarantee a better deal. If the Bill is passed today, we will table amendments at further stages. We cannot accept the legislation in its current form. We certainly believe, for example, that the local government sector and NILGOSC should not be included in the proposals.

I extend an invitation to other Members to join us in opposing the Bill today, particularly the Sinn Féin Members, who boast of their proud record of standing with and for workers. Here is a chance for you to show that that commitment is real and is not empty rhetoric.

**Mr Cree:** I welcome the opportunity to make a few comments during the Second Stage of the Public Service Pensions Bill. I note that the Executive agreed to the changes in this legislation on 8 March 2012 and that the Minister announced on 26 November 2012 his intention to bring a Bill to the House. It is important that we are flexible to changing conditions, be they economic, societal or otherwise, and how we approach pension provision should be no different. Therefore, I welcome the Bill as a mechanism that affords us the opportunity to rebalance public sector pension provision, with equity for the taxpayer being central to any changes.

The Bill's policy content is driven by the findings of the Independent Public Service Pensions Commission. It was headed up by John Hutton, and its remit was to bring forward recommendations on how to reduce the increasing cost of taxpayer-funded state pensions while ensuring adequate retirement income. That was necessary not least because of increasing life expectancy.

There are two broad objectives in the Bill. The first is a move towards new career average revalued earnings — CARE, as it has become known — with pension age linked to separate pension age for general use in the public services sector schemes. The second objective is to ensure that we adopt an approach in Northern Ireland that is consistent with that in the rest of the United Kingdom. The financial implications are important, and I will set those out later.

We must not lose sight of the fact that the Bill affects quite a number of people, including civil servants, devolved judiciary, local government workers, teachers, health service workers, fire and rescue workers and members of the Police Service. For that reason, it was key that meaningful consultation took place. A total of 52 responses to the public consultation were received from individuals, organisations and the trade unions. The Committee will continue to take account of the various issues raised by those who made submissions on the proposed changes.

I will touch briefly on cost, because that is important in the context of the legislation. The Finance and Personnel Committee went into some detail on that as we took evidence from departmental officials. Without going over that ground again, I will mention the latest correspondence — it was referred to here today — that I have received from the Government Actuary's Department via the departmental Assembly liaison officer. That letter stated that the overall figure quoted for a delay of one year in the implementation of pension reforms was in excess of £262 million. However, the revised figure received, which was based on the detail of each individual scheme, is now estimated at £300 million. Regardless of the concerns raised by some over the precise detail of how that figure was reached, it is a substantial sum that we simply cannot afford to lose from our block grant. I raised in Committee the issue of transitional arrangements for those who have what has been termed "accrued rights". That is very important. It is not fair to change the expected provision for an individual substantially just before they retire. I am pleased that the Bill provides for a 10-year transition

protection, as well as a three and a half-year sliding scale protection before that, as set out in clause 18. As I mentioned at the outset, it is necessary to ensure that an element of fairness is visible throughout the Bill.

My party is happy for the Bill to proceed to Committee Stage for further scrutiny. It is a fairly lengthy Bill, with 37 clauses and nine schedules. Work will therefore be required to ensure that we get it absolutely right. However, I am broadly content with the general principles of the Bill and look forward to considering it in more detail in due course.

**Mrs Cochrane:** I welcome the opportunity to speak at this stage of the Bill. I apologise to the Minister for not being in the Chamber at the start of his speech. Did you not notice?

**Mr Wilson:** I will forgive you.

**Mrs Cochrane:** Many of us find pensions quite technical and difficult to understand. Perhaps those who are closer to the age of receiving their pension — I am not looking at anyone in particular — will be more au fait with the impact that certain changes would mean for them. The Bill is, perhaps, not legislation that we would enact if it were entirely up to us, but, once again, the issue of parity with Westminster raises its head. It is important, therefore, that we look at the context in which the changes are being proposed and try to establish the impact that they will have on those affected. Perhaps, unlike Mr Durkan, I will be a little more realistic in my comments.

Historically, when pitted against the private sector, the public sector was viewed as below par on salary scales. However, because of that disparity, certain benefits were afforded to public sector workers in recognition: significant maternity and sickness arrangements, enhanced financial insurance schemes and superior pension provisions. However, in more recent years, we have seen a role reversal, and a rise in public sector salaries has helped to redress the traditional economic balance between the two. As a result, the public sector is now generally better paid and pensioned, as well as boasting a faster increase in rates of pay. A salary gap has subsequently emerged between the two sectors in the opposite direction. Alignment is still, therefore, necessary. Proposals for reform seek to take into account the sustained ambiguities between the public and private sectors.

Statistics show that life expectancy is going up. People are living longer, and that is not going to change. Therefore, employees in both sectors work longer, which translates into an increased financial commitment that is bearing down on the public purse. We need to address that, not only because it is unsustainable but because it serves as a barrier to rebalancing our economy from its historic over-reliance on our public sector. Reform of the current system is now necessary, and the cost of delaying the Bill would be significant, as the Minister has said.

Under the proposals, individual pension contributions from public sector workers would increase, with a staggered phasing-in period, including a shift away from final salary schemes to a scheme based on average income. It has been suggested that that would, in fact, leave the poorest paid public sector workers better off in the long term. In line with the reform, commitments have been given to retain a form of defined benefit pension and protection of accrued rights to ensure that those within 10 years of retirement would neither have to work longer nor see their

pension income reduced. Those are the details that I look forward to going into further at Committee Stage.

As a party, Alliance has been consistent in its position on public sector pensions regulation, as evidenced at Westminster, where our East Belfast MP, Naomi Long, voted against the RPI and CPI uprating changes. We know that public sector workers did not create the financial crisis, yet, to all intents and purposes, it is their benefits and pensions that are being affected to help solve it. However, while we realise that such changes are unfortunate, they are necessary. Even taking into account any increase in personal contributions, those pensions are still markedly superior to those available to many in the private sector. In summary, I support the principles of the Bill at this stage. I look forward to further examining them.

**Mr McCallister:** Like others who have spoken, I know that we have to face up to this issue and the costs associated with it. Put simply, there are few options for the Minister when faced with such a big bill. Even accepting some debate around the figures, when you are faced with a bill of anywhere between £250 million and £300 million, realism has to kick in, unless, maybe, if you are in the SDLP.

You have to look at what can be done. To be fair to Mr Durkan, I look forward during Committee Stage to questioning whether there are some areas where we can mitigate the effects. For example, is it reasonable to expect firefighters to work to a certain age, given the very physical nature of the job? Those are things that the Committee rightly should look at and challenge the Minister and the Department on what we can do. It should look at how appropriate it is to insist that employees in various jobs work right up to the limit and at whether we can change that and what the cost implications of that would be. It is very much a job for the Committee to question that at the scrutiny stage.

It would be wrong to vote against the Bill at this stage. There is consensus about the Bill proceeding and the principles of it. Ms Cochrane talked about having to reform and the differential between public sector and private sector pay. Like other Members, I worked in the private sector before I came into politics, and I see the difference. I have a private sector pension, and, although I can project and guess what it might be worth, I have no idea what it will be worth or whether I will be working until I am 85 or something.

There are huge differences between those guarantees on what you are getting as a pension and on the financial certainty of this, and it is right that the Government have looked at the issue far enough out to make sure that there is time for people to adjust and decide whether making an increased contribution is an affordable option for them. We have to get a grip on those things. It would be entirely wrong, inappropriate and unrealistic to vote against the broad principles of the Bill. Although I agree with Mr Durkan that there are many things that his colleagues on the Finance Committee will want to challenge in the debate today, the Finance Committee is the place to do it. Consideration Stage is the place to do it when the Bill comes back from Committee, but it would be wholly inappropriate to vote against the Bill today. Therefore, I will vote to let the Bill pass and go to Committee.

**Mr Wilson:** I thank all of the Members who have taken part in what has been a shorter debate than I had expected

on this legislation. I understand that the legislation has caused a degree of controversy, especially among those who work in the public sector. Obviously, no one likes to have pension arrangements tampered with, but, as I hope to show in response to some of the points that have been made, there has been gross exaggeration and misrepresentation of some of the impact of this. Following the last Member who spoke, I think it is good that, when you introduce legislation that is controversial, even the new official opposition does not raise an issue about it. There is a degree of realism about where we are with the costs of public sector pensions. This is not just, as Mrs Cochrane suggested, a result of the financial crisis; this is a result of demographic trends and the future financial impact of those demographic trends, which is why Lord Hutton recommended some of the changes that he made.

#### 12.45 pm

I will come now to some of the points that have been made. First, I will address those made by the Chairman of the Committee. Other Members raised this issue as well. There is a cost implication. I want to emphasise that at the very start, because I was a bit disturbed by some of the points that were made by the Chairman, who talked about the work that he wanted to see done on the Bill. Let me make this clear at the start: there is a financial implication if we do not have these reforms in place by 1 April 2015. When I first brought this to the Assembly, people said, "It is a made-up figure", "You are a scaremonger" and "Where did you get it from?". I explained, at that stage, that we had gone to the Government Actuary's Department and asked for a valuation of the cost of delay in respect of the biggest pension scheme, that of the health service. The Actuary's Department gave us a valuation, and then, using the assumptions that it had made, we extrapolated from that and got the figure of £262 million. As the Chairman of the Committee indicated, the Committee asked us to go back to the Actuary's Department. Rather than make an estimate based on the figure for one pension scheme, they wanted us to get an exact figure for each of the pension schemes. The result is that the figure that I had given was not an exaggeration but an underestimation of the cost. The cost for a full year to the Assembly will be £300 million. The Chief Secretary to the Treasury has made it clear — he has emphasised it to me again in the last couple of weeks — that, if there are delays, we will pay the cost of them. I want to emphasise that because there is a process to be gone through. The primary legislation, as I explained in my opening speech, has to have Royal Assent by 1 April 2014, so that the second stage — the detail of the pension regulations for different schemes — can then be gone through. It will take about nine months to do that and have everything in place by 1 April 2015.

The second point that the Chairman of the Committee raised was the issue about a full analysis of the macroeconomic impact of the Bill. There is an argument put forward by the trade unions and others that, if you actually look at the full cost of this, you might save on pensions but you will have bigger costs for unemployment. The argument is that, if people have to work for two years longer, it gives fewer opportunities to people coming out of school to get a job in the Civil Service or the public sector. Even at a superficial level, it is not difficult to pick holes in that argument because, of course, there will not be a direct displacement anyway. It is usually people who are

fairly senior, mature and have advanced levels of expertise which would not be replaced by younger people coming into the system.

There are a number of reasons why I am opposed to going down the route of a macroeconomic analysis. The first and most fundamental reason is this: it really does not matter what the outcome of that macroeconomic analysis may be. As I have made clear already, if we do not implement the reforms, we will have to pay. We can go back to Westminster and say, "We have done a macroeconomic analysis of this. We have worked out, using a model, what the cost of this will be, and we think that you have it wrong". The Chief Secretary to the Treasury will say, "That is very good. We will charge you. You can say 'You have it wrong' all you want. It does not remove the fact that we expect you to have the reforms in place, and, if you do not, whatever the additional cost of pension schemes in Northern Ireland is, it will fall upon the Northern Ireland Executive". That is the most fundamental reason why I am opposed to going down the route of doing a macroeconomic analysis. Even Lord Hutton did not do it. He was concerned. His remit was this: how do we defuse the financial time bomb that lies down the road for public sector pensions and their cost?

The second reason is this: there is a cost attached to this, and it is estimated to be about £100,000. If the Assembly Committee wishes to do it and the trade unions wish to contribute to it, that is entirely up to them. If they believe that that is one of the things that they have to do in order to scrutinise the Bill — the Assembly wastes money on plenty of things, so I am sure that it can waste money on that as well — that is a decision for the Committee to make. I doubt very much whether the trade unions will rush to put too much money into it. However, let us remember that, if it is to be done effectively, it is a long process. It is a technical thing. You have to build up the model, and you have to work the figures through the model. There are various steps. You have to set out the terms of reference — what is it that you actually want to do, what do you want people to do and what technical information do you want included? The next step is deciding who will do it. It will require people with detailed knowledge and expertise. Therefore, you have to look out consultants who can do it. Given the cost of any such model, there will be a public procurement exercise, and then you have to work through it. Lord Hutton's review of pensions took nine months.

If you are going to go through all of that, I warn Committee members of this: even if you decide, unwisely, to spend money on such an exercise, there is a timetable for getting the legislation through. If we are to avoid the financial consequences that I have outlined, we need Royal Assent by April next year. I cannot understand why the trade unions are keen to do it. In fact, in evidence to the Committee, Bumper Graham made it clear that, as far as he was concerned, he would do everything to stop the Bill:

*"If I can stop this; brilliant. If I can delay it; good. That is my job. That is the job that I will prosecute to the nth degree on behalf of my members. If that makes life difficult for politicians"*

and he went on. Do not forget that, as far as the trade unions are concerned — they have been upfront about it — such an exercise is designed to delay. If it delays, well and good. They feel that they have done their job.

However, the delay in terms of the cost to public services here in Northern Ireland would be quite dramatic.

A number of Members raised the issue of the age of retirement for firefighters. I think that nearly every Member who spoke talked about it. There has been a nationally revised offer to firefighters that will make a difference in calculating their pension and, therefore, access to their pension after the age of 55. That may well help to deal with some of the issues. I do not know all the details, but I know that a revised offer has been made recently to them that would increase the access to their pension. Of course, as Mr McCallister pointed out, it may well be that we will also have to look at what happens to firefighters when they reach that age and have to go through the physical rigours of normal Fire Service duties. Can other jobs be found for them, such as fire prevention or whatever? Do you weigh the jobs towards the older members? I accept that there is a challenge there for the Fire Service. However, that does not take away from the general issue of the Bill.

Mr Girvan talked about the discussions with the trade unions and the consultation with them. We have engaged with the trade unions over the period and will continue to do so. This is not about negotiating with them; this is about consulting them on a policy. You do not negotiate with trade unions on a policy that is being followed by the Government, and we will continue to engage with them.

I now come to Mr Durkan. I know that the SDLP is always looking for an opportunity to poke the main parties in this Assembly in the eye. That party especially loves taunting Sinn Féin by saying, "We are more socialist than you are. We are redder than you are." The only redness about Mr Durkan after that speech ought to be his face. I just want to go through some of it. He said that the SDLP is implacably opposed to this attack on workers' rights and that it is a shame and disgrace that I should be coming to the Assembly to push this legislation through at this particular time. He said that I conveniently produced figures that made this an even greater horror story, as if I went over to GAD in London and asked it to fix the figures so that I could go and scare the devil out of Assembly Members.

**Mr Hamilton:** We would have put the figures higher.

**Mr Wilson:** The Member says that from a sedentary position, and he is right. If I had been out to scare you, I would have made sure that there was hundreds of millions of pounds more. This is done by the Government Actuary's Department. The figures were not produced conveniently. They were produced at the request of the Committee, and they are here for full public scrutiny.

Mr Durkan cannot even get it right. He talked about the SDLP being particularly opposed to the retrospective nature of this. Had he listened — I think that he was here, unlike Mrs Cochrane, who has apologised for not being here at the beginning of my speech, and I accept her apology; she probably did not miss a great deal anyway — he would know that this is not being applied retrospectively. In fact, any benefits that have been accrued under the existing scheme will be protected, and anyone who is within 10 years of retirement will stay part of the existing arrangements. So if he is going to attack me for bringing something forward to this Assembly, he should get his facts right before he does.

He talked about teachers being disillusioned and demotivated — I was disillusioned and demotivated after

listening to him — because they will have to teach until they are 65. Again, if he had done his homework on this, he would know that the retirement age for teachers has been 65 since 2006-07. That is already in place, and it is the same with a whole range of the public service, under the *nuvos* arrangements now.

The best part about it was when he said that the SDLP would oppose Sinn Féin and the DUP in their fight against public sector working. They are implacably opposed to this, they will not have it and they will seek a better deal. Well, maybe before he wrote that part of his speech, he should have spoken to his party colleague who is the Minister for the Department of the Environment. As I made it clear, one scheme has to be in place before 2015, and that is the local government pension scheme. Who is responsible for the local government pension scheme reform? None other than Mr Attwood, who happens to be a member of the SDLP. Indeed, Mr Attwood has already given me an assurance that there is no issue and the local government reforms will be introduced in advance of the main schemes. What will those changes to the local government pension scheme include? They will include and will fully comply with the regulations of the legislation that is going through the Assembly. So, we now find that, from being implacably opposed to the career average and to linking the scheme with the change in pension age, the Member's party and his Minister are assuring us that reform of local government pension schemes will be in place by April 2014 and will include the core provisions of the Bill.

#### 1.00 pm

I am sure that the Member has written his press release for the local paper. Perhaps before he does so, he ought at least to consider the facts in the Bill and what his party is committed to doing with the pension schemes for which it is responsible. Maybe then we will get a bit more sensible debate in the Assembly rather than rhetoric for a cheap press release that gets a headline for a day: "We are the goodies, and the rest of that crowd in the Assembly are the baddies, wanting to rob you of your pension and everything else", without really considering where were are going with this.

SDLP Members will probably vote against the Bill, because they know that they can do so in safety. They can hide behind the fact that they are a small party. I have to say this about Mr McCallister; he could have taken the same stance. It would have cost him nothing to take a cheap shot during the debate. The Alliance Party and the Ulster Unionist Party could have done the same, knowing that the Bill would be carried through by the two main parties. However, I think there has been a degree of realism around the Chamber that we cannot go on with the existing arrangements and that if we were to do so, there would be penalties involved that would have an impact on the public purse.

I said that Mr Cree accepted the need for reform — as did Mrs Cochrane and Mr McCallister — and I appreciate the points that he made. There will be details during the scrutiny of the Bill, and I expect nothing less from the Committee but that it goes through the Bill in detail. Then, there will be an opportunity for the Assembly, and for a number of its Committees, to discuss, after April next year,



the detail of the regulations for the schemes that will be brought forward by the respective Ministers.

I have said that there will be opportunities for variation within the regulations for each scheme, even from what exists in other parts of the United Kingdom. About 80% of the opportunities will be around those regulations, and provided that it is done within the general principles of the enabling legislation, which we are talking about now, and within the funding envelope, there will be opportunities for variations to be made. That is where a lot of the discussion and detail will need to be looked at by Members.

I commend the Bill to the House and ask for support for the Second Stage.

*Question put.*

*The Assembly divided:*

*Ayes 75; Noes 11.*

## **AYES**

*Mr Allister, Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McCallister, Mr F McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Girvan and Mr McQuillan.*

## **NOES**

*Mr Agnew, Mr Byrne, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

*Question accordingly agreed to.*

*Resolved:*

*That the Second Stage of the Public Service Pensions Bill [NIA 23/11-15] be agreed.*

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

## **Licensing of Pavement Cafés Bill: Second Stage**

**Mr McCausland (The Minister for Social Development):**  
I beg to move

*That the Second Stage of the Licensing of Pavement Cafés Bill [NIA 24/11-15] be agreed.*

Many of our town and city centres are beginning to develop a cafe culture. Well-managed pavement cafes can add vibrancy to the street scene, increase footfall, boost tourism and contribute to urban regeneration. However, arrangements must be put in place to ensure the controlled expansion of the sector. That is why I am introducing a statutory licensing scheme.

The Bill was drafted after a public consultation, which showed overwhelming support for a statutory scheme. If passed, the Bill will bring Northern Ireland into line with the rest of the United Kingdom, where local authorities have responsibility for licensing pavement cafes.

Under the licensing scheme, owners of relevant premises, such as cafes, restaurants and bars, will be able to seek permission from their district council to place tables and chairs in suitable public areas for use by their customers. In developing the scheme, my objective was to design a licensing framework that gives councils a degree of discretion over premises that may be authorised and licensing conditions to be applied, while avoiding red tape and minimising licensing costs.

It may be helpful to Members if I spend a few minutes outlining the key provisions in the Bill. The Bill provides district councils with licensing and enforcement powers. It places the onus on a council to grant a licence, unless any of the grounds for refusal, which are specified in the Bill, apply. Councils will be able to impose a range of licence conditions and may vary, suspend or revoke the licence in certain circumstances. At their discretion, councils may charge a licence fee to cover the actual costs of administering the scheme.

I have included a number of safeguards in the licensing regime to ensure that any proposal for a pavement cafe is appropriate to the surrounding area. Applicants will be required to fix a notice to their premises stating that an application for a licence has been made, and there will be opportunities to voice objections. When new applications are being considered, the district council will be required to consult with Roads Service.

Consultation with the PSNI will be required where the associated premises has a pub licence. Where alcohol consumption is permitted in the pavement cafe area, relevant conditions of the licensing law will automatically apply. Consultation with those authorities will ensure that any implications for vehicular traffic or pedestrians, public safety issues and environmental impact are properly taken into account.

I turn now to enforcement. The Bill creates three new offences that will be prosecutable by district councils through a Magistrate's Court. The new offences being created are: operating a pavement cafe without a valid licence; intentionally obstructing an authorised person in the execution of his or her duties; and making a statement, known to be false, in connection with an application. Those

offences will be punishable, on summary conviction, by a fine of up to £1,000. In addition, councils will have the power to inspect premises in connection with an application and will be able to remove facilities at any pavement cafe operating without a licence.

As councils will have the discretion to impose a wide range of licence conditions, I am not proposing to create an offence for breach of a licence condition. However, councils will be able to vary, suspend or revoke a licence in specified circumstances. Appeals against licensing decisions will be heard by a Magistrate's Court.

Subject to the successful passage of the Bill, district councils will, thereafter, need some time to complete the preparations necessary to administer the new licensing scheme. Therefore, the main provisions of the Bill will come into operation on a date appointed in an order made by my Department, following liaison with district councils.

Leaving aside the vagaries of our weather, over which we have no control, I recognise that the efforts of business owners and local councils will be critical to the successful development of a cafe culture. I believe that the licensing requirements in the Bill provide the right balance in promoting a cafe culture, while ensuring that applications are sensitive to the needs of street users and the surrounding area.

**Mr Brady (The Deputy Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. The Committee welcomes the introduction of the Licensing of Pavement Cafés Bill for Second Stage consideration and thanks the Minister for bringing it to the Assembly.

Officials from the Department briefed the Committee on the purpose and contents of the Bill very recently, and it is fair to say that the Committee welcomes the general principles of the Bill. We all realise the pressures that town centres have been under, with vacancy rates for retail space here in the North running at about one in five. Our town centres appear to be in decline, and we need initiatives to halt that decline and to revitalise those key economic areas.

The pavement cafes Bill is the latest in a number of initiatives that the Department has brought forward, and it focuses on the hospitality sector, giving another incentive to develop business opportunities and increase trade.

A LeasCheann Comhairle, Members will be aware that the Committee for Social Development recently considered the Business Improvement Districts Bill, the draft regulations of which are out for consultation. That Bill hands the power to traders to develop proposals to improve their business areas in order to increase footfall.

Indeed, there is sound evidence from other jurisdictions that the establishment of BIDs does provide benefits. We hope that that will be the case here.

Recently, the Committee also held meetings in Ballymena and Coleraine and focused on the work in those council areas to revitalise their town centres. The Committee has been very impressed with the level of commitment by council officials and retailers and their partnership working with the Department in those areas. Indeed, it is evident that partnership working is absolutely key if we are to turn round the fortunes of town centres. Having heard from council officials, traders and bodies, such

as the Independent Retail Trade Association, we have come to realise that the sustainable revitalisation of town centres will depend on their becoming multidimensional spaces, incorporating not just retailers, but recreation, entertainment, accommodation and the wider business sector. The Pavement Cafés Bill provides an added dimension to help to facilitate that.

The Bill is required for a fundamental reason, namely that there is currently no legislation in place to regulate that activity. The Committee heard that Roads Service adopts a "toleration policy" towards existing pavement cafes as long as they do not compromise public safety or hinder the movement of pedestrians. However, it considers that to be a temporary measure that is not considered realistic in the medium to longer term.

Comparable legislation exists in other jurisdictions to regulate pavement cafes through a statutory licensing scheme that is run by district councils. It appears appropriate to the Committee that a similar scheme should be developed here.

In discussing the legislation with officials, the Committee queried the definition in clause 1 of "a public area" to mean:

*"a place in the open air -*

*(a) to which the public has access, without payment, as of right".*

That suggested to some members that a cafe owner might set up a business some distance from the cafe; for example, in a public square or park. However, the Committee was informed that the Bill gives councils discretion in clause 4(2)(a), in the granting of licences, to determine whether the public area is suitable or not for a pavement cafe. I am sure that that is an issue that the Committee will return to in its future consideration of the Bill.

The Committee also noted in clause 4(2)(d) that a council could refuse a licence if the applicant had had a previous licence revoked. It seemed that that could result in the indefinite refusal of a licence — one strike and you are out. However, the Committee also noted and welcomed the provision of an appeals mechanism in clause 21 where an application has been turned down or a licence revoked. Again, I think that we will hear comments on that issue as we engage with stakeholders.

The proposed legislation will, therefore, formally regulate pavement cafes and require a person who operates such a business to obtain a licence. The Committee queried the potential costs of such a licence given that the toleration policy that is currently exercised does not incur costs for businesses. The Committee was, however, assured by officials that costs would be set at a level that would allow councils only to recover their administration costs, as noted in clause 12. The clause also places a requirement on councils to publicise their fees and make available the details of how they were calculated. Such transparency is important if traders are to buy into the need for a licence fee. The Committee will continue to query that as it takes evidence during Committee Stage. It is important that councils take a consistent approach on the cost of the licence.

One general concern that the Committee had was the potential implications of pavement cafes for those with disabilities, particularly if there is expansion of pavement

cafés. Committee members met representatives from RNIB and were made aware of the inconvenience and potential distress that could be experienced by partially sighted individuals when presented with unfamiliar obstacles on journeys with which they are usually familiar. I attended that briefing, LeasCheann Comhairle, and found it very informative. It gave Committee members a very good insight into how people with such disabilities cope daily. Although the Department informed the Committee that councils will have autonomy to select which representative groups they consult with regard to the establishment of pavement cafés, it is the Committee's view that it is important that groups that represent people with disabilities are consulted. It is certainly the Committee's intention to do so during its detailed consideration of the Bill.

Having put those concerns on record, I would like to reiterate the Committee's support for the Bill and the potential positive implications that it has for town centres. The Committee looks forward to scrutinising the Bill in more detail over the coming months. Go raibh míle maith agat.

### 1.30 pm

**Ms P Bradley:** As a member of the Social Development Committee, I welcome the opportunity to speak on the Second Stage of the Licensing of Pavement Cafés Bill. Any initiative that improves businesses in our community has to be welcomed. In most of Europe, pavement cafés, in designated pedestrian areas, are almost a part of life. I agree that the current ad hoc tolerance arrangements cannot continue and that many towns in Northern Ireland already have a bustling café culture that continues to rise.

One of my main concerns about the Bill is about licensing. I welcome the fact that the Bill will be subject to the licensing laws already in place. I am also encouraged by the fact that, under the scheme, businesses will be obliged to insure the areas where their furniture is situated and that councils will have the authority to enforce a range of powers and conditions.

It is appropriate that councils have the lead role under the Bill due to their extensive local knowledge. From my time as a local councillor, I feel that councils are the first agency that local people approach when they are concerned about something happening in their area. As such, councils are in the best position to provide feedback to the officer responsible for deciding on the suitability of such a feature in a particular area.

I agree with providing flexibility in the charges that businesses will face under the scheme, as that may enable councils to attract businesses to their area.

I represent a particular area in which there are a large number of businesses in the catering trade. Indeed, it would be difficult not to find somewhere to eat in Glengormley. However, I have heard from other businesses that are concerned that the pavements will become cluttered and that their patrons will be unable to get to them. Nevertheless, I am confident that the provisions in the Bill should decrease the fears of local traders and, indeed, increase footfall and give a boost to many of our town centres.

I support the general principles of the Bill.

**Mr Durkan:** I support the passage of the Licensing of Pavement Cafés Bill. The Bill will create opportunities for our local economy and complement the development of towns and city centres, which the Minister and the Department are keen to bring forward.

Although the SDLP welcomes the benefits that the licensing scheme will have on the broader economy, we feel that it is important that we get the legislation right and assure local traders that the new scheme will serve their interests rather than inhibit trade.

Some local café owners in my constituency, albeit very few, have flagged up concerns about the cost that will be attached to the licensing fee, in particular. I accept that placing a fee on traders who have been able to trade freely on pavements for some time without incurring any charge can be discouraging. However, traders who have taken such steps to date have done so at their own risk if the land is not their own, and this could cause —

**Mr F McCann:** Will the Member give way?

**Mr Durkan:** Certainly.

**Mr F McCann:** Over the past number of years, café culture, and especially pavement café culture, has become important, with growing numbers of people involved in it. However, some of the difficulties —

**Mr Deputy Speaker:** I encourage Members to address the Chair to ensure that their comments are picked up by Hansard and that everyone can hear them.

**Mr F McCann:** Sorry.

In the past, the difficulty has been the attitude of other statutory authorities, and I think that you need to get that right. Although the Department for Regional Development (DRD) has some flexibility, it can be fairly rigid in its approach to such things.

What is also important is the type of furniture that is used outside. It is no use just saying, "You can put tables and chairs outside". For that to mean anything to any city, the furniture has to be uniform and well arranged. The difficulty is not just the additional cost of a licence; there needs to be regulation to ensure that if people take up the licence, they will also invest in the type of furniture required.

**Mr Durkan:** I thank the Member for his intervention, and I take on board and agree with what he said. The licensing scheme should not in any way disadvantage traders. The Department should look at that as well, even if it means providing some sort of small grant. I suppose that councils could look at it as well, in order to assist traders set up their pavement cafés, as they are, as I indicated earlier, so important to the local economy and the vibrancy of towns, villages and cities.

I spoke about the lack of a current scheme and the current situation whereby people are free to have furniture outside. Mr McCann quite rightly pointed out the difficulties that presents for statutory agencies and the difficulties that statutory agencies present for traders. Some are more flexible than others, but this legislation should bring a greater degree of consistency to how pavement cafés are approached.

The benefits of pavement cafés have been seen right across the North in recent times, not least in my own constituency. Derry, the City of Culture, has been

transformed with outdoor seating areas at cafes and restaurants, opening the city up and really adding to its vibrancy. While we recognise the growing role of pavement cafes, it is vital that protections afforded to the public and to traders are given a statutory footing. What is also imperative is that any arguments raised by traders who are concerned by the legislation are listened to, and that we work to address them.

While this legislation gives the power to local councils to impose a fee, it is not necessary for a council to do so. It is entirely dependent on their resources and their moulding of the scheme. It is therefore our duty as legislators to make these powers mutually beneficial for the council to administer and the traders to prosper. It is in this vein that we welcome the fact that a fee limit will be placed on all councils and that there will be stipulation in the Bill that councils may not profit from any fee. Councils will also be required to justify their fee and ensure that it is cost-neutral. The SDLP is supportive of these controls being protected in the legislation in order to ensure balance around the licensing fee. It is our duty, once this enabling legislation is passed, to work alongside the Department and councils to ensure the guidance brought forward is not too onerous either on councils to administer or on traders seeking to avail themselves of the scheme.

The Bill gives powers of inspection and enforcement to councils so that they are able to revoke a licence or enforce a fine for operating without a licence; resisting or obstructing an authorised officer in the execution of their duties; and/or making a false application. Councils will decide whether a pavement cafe design is appropriate for an area and will be able to refuse an application if it does not comply with due procedure. While these powers lie with councils, the SDLP welcomes the fact that an appeals process will exist for applicants, who will be able to appeal directly to a Magistrate's Court if they think that the council's decision is wrong. These procedures in the Bill are a welcome balance. Again, it is very important that we work with departmental officials in the production of the guidance for councils to ensure that fairness and balance is promoted throughout the administration of the scheme in its various locales.

The SDLP supports the passage of this Bill to the next stage and welcomes the benefits that the licensing of pavement cafes will bring to local traders and retail areas. We recognise the benefit that the licensing scheme will have for the local economy, and we are eager to ensure that we get it right. We will probably bring forward amendments at the next stage, should the Department not suggest any changes to the Bill before then.

I am particularly concerned at the removal of the duty on councils to consult with Planning Service before approving any licence. I fear that might result in some kind of vacuum of planning assessment, should this Bill be passed before the transfer of planning powers to councils post-review of public administration (RPA). I am sure that this is not a deliberate attempt to disempower the Planning Service; no such thing would ever happen in this House. We will therefore seek assurances from the Minister that no such vacuum will occur, otherwise we will bring forward amendments to the effect that the statutory planning authority, whoever that may be, is a consultee.

I raised concerns in Committee, which Mr Brady, the Deputy Chair, echoed today, about the problems for

those with visual impairments and disabilities accessing and, if truth be told, avoiding pavement cafes. Greater consultation with such groups will ensure their safety and make for more appropriate schemes. Therefore, it is our contention that, because of the scale of the legislation and its impact on local areas, an obligation should be placed on councils to consult such stakeholders before any scheme guidance is issued. We hope to explore that further in Committee.

We support the Bill.

**Mr Copeland:** I speak as a member of the Committee for Social Development. Mr Mickey Brady, in giving the report on behalf of the Committee, covered pretty much all the points that I would have sought to raise. I congratulate the Minister on finally bringing these proposals before us.

It is important to realise that, although it is a wonderful idea, no matter how you try to regulate or encapsulate such an idea in legislation, something comes out of the woodwork subsequently that was not thought of or considered. I have a couple of points based largely on my limited experience of pavement cafes and outside restaurants elsewhere in Europe. I ask the Minister to consider taking note of the positioning of fire hydrants etc on footpaths. I remember a holiday some years ago in Spain, when there was a fire, and it was discovered that a large concrete planter was over the top of the fire hydrant. As it was Spain, it did not take long to shift it, but there are little nuances.

I also ask that we give consideration to balancing the rights of those who wish to enjoy tobacco and currently cannot do so within the confines of an enclosed working space, and those who do not wish to enjoy tobacco but may find themselves sitting beside a table of people who, like me, smoke rather too much. Such things need to be taken into account.

I raised this question at Committee but have not yet received a satisfactory answer: as I understand it, and if my memory serves me correctly, two value added tax regimes affect hot food bars, particularly the likes of fish and chip shops that have a sit-in section and a serve-at-the-counter section. It might be an idea to give advice and guidance to councils when they are licensing premises, as they will, so that someone does not find, 18 months later, that they have been quite happily selling away when they should have been charging value added tax on the portion of their product sold outside.

My grandfather had a great saying: licensing is the wee brother of taxation. I wonder whether the Minister has had any discussions with the Minister of Finance and Personnel. By licence, businesses will capitalise, for want of a better word, on fairly substantial areas of public footpath, which is public property. In some of the ones that I have been in on the continent, the outside area, given the size of the footpaths, can exceed the internal dimensions of the premises. I wonder whether any move will come from the Minister's colleague the Minister of Finance and Personnel to recoup rates income from that use of public realm property and whether we need to give some consideration to that at this stage. However, I welcome, in the main, the legislation and look forward to discussing it more fully in Committee.

**Mrs Cochrane:** I, too, welcome the opportunity to speak at this stage of the Bill. I will probably repeat many points that have been covered in a lot of detail.

The al fresco cafe culture is becoming a popular attraction in towns and cities across Europe, and it should be encouraged in Northern Ireland to further promote our great hospitality industry. A pavement cafe that is well designed, well located and fits with the local area can add value by increasing the use and vibrancy of a street and creating a feeling of well-being. Although we may not always have the weather of other European destinations, that should not prevent the initiative being successful. Indeed, having been to Berlin in October, I can confirm that it is not just the sunny weather that brings people to the squares and pavement cafes there to enjoy food and drink. They have developed a red blanket culture with outdoor heaters that has most cafes booming even in the coldest of temperatures.

#### 1.45 pm

Businesses can increase trade through pavement cafes not only for their premises but for other businesses in the area by attracting visitors and shoppers. Indeed, established traders' associations, such as the Ballyhackamore Business Association in east Belfast, have begun to plant strong seeds of communal development and co-operative improvement. The business improvement district legislation will also strengthen such initiatives. Ballyhackamore village has a number of excellent bars and restaurants, and I would welcome the introduction of licensed pavement cafes to help it to become an even more vibrant destination and to encourage those who live in the area to put their money where their house is.

Although we recognise the economic benefits and the enhancement of the street scene that these schemes can provide, it is important that they are well designed and set out and do not impinge on safety or inconvenience pavement users. The legislation must ensure that disabled, blind or visually impaired people's needs are taken into account. As Mr Copeland said, smoking in public places may also need to be considered.

There is no doubt that this legislation will remove the current confusion about outdoor seating areas and licensing requirements. It will allow us to ensure that these facilities will be provided to the highest possible standards without any detrimental effect on the community as a whole. I support the Bill's general principles.

**Ms Brown:** I welcome the Second Stage of the Bill. The Minister promised to introduce the Bill last May, so I am pleased to see its entrance in the House today.

The Roads (Northern Ireland) Order 1993 makes it unlawful to cause an obstruction to a public footway such as those outside local cafes, bars or restaurants. Currently, Roads Service can enforce the unlawful occupation of a road surface if activity restricts the free flow of pedestrians or vehicles or compromises public safety. As has been stated, Roads Service currently operates a toleration policy for pavement cafes, but that is regarded as a purely temporary arrangement.

The Bill seeks not only to clarify the situation regarding the use of pavements but to give local cafes, bars or restaurants the opportunity to legitimately use the pavement for the purposes of their businesses. Although

that might all sound a little tedious, it is not only important to clarify and legislate for the existing practice, which Roads Service has tolerated to date, but to ensure that businesses can secure the legal permission to allow customers to sit outside their premises.

The Bill's other hidden benefit is that it will bring Northern Ireland into line with other parts of the United Kingdom and, indeed, with other parts of the world. Opening up public spaces in an urban environment has the potential to attract new customers and to contribute to a cosmopolitan atmosphere that is associated with most town and city centres in other parts of the world.

Although we in Northern Ireland may be the victims of a very mixed and often confusing climate and are, therefore, not always able to benefit from the outdoors, I believe that this legislation and a respective licensing scheme will provide many visible benefits to town and city centres across the Province. Benefits include encouraging people to come out from inside street cafes, bars and restaurants and on to the street, which will add to the hospitable, attractive and vibrant environment.

Since taking office, the Minister has sought to reopen our high streets across Northern Ireland and to revitalise a once vibrant and important part of the local economy. Business improvement district schemes, the legislation for which received Royal Assent in March, coincide with this Bill and the redevelopment of our town centres and local high streets. Therefore, I regard the Bill as a success story for local high streets across Northern Ireland, and I call on everyone in the House to support a speedy passage so that the benefits can be felt on the ground.

**Mr F McCann:** I made a point to Mark earlier about this. When I was in Belfast City Council, I was a great fan over many years of the creation of a cafe culture. Whenever you travel through Europe, you pick up on the benefits that it could have for the local economy.

Although you need to take a firm approach to the regulations or legislation, you also need a flexible approach to work with the many businesses involved, which Mark touched on. You also have to find a happy medium that enables you to work with groups that deal with people with disabilities. If there is a meeting of minds between all those groups, there can be a speedy move to create a cafe culture across the North.

I tried to touch on this point earlier. There were difficulties in the past when it was illegal because Departments had a flexible approach to certain types of shops but had a fairly inflexible approach when it came to the type of cafe culture that we are talking about.

This should not be dealt with in isolation. There were some problems around how DRD dealt with this, and there are problems in councils. If people are being unreasonable in their demands — I am talking about Departments — about how this should be moved forward, we need to encourage them to reach a speedy resolution. In some cases in the past, delays led to people losing faith in the process, and they were not able to provide a product to customers.

I fully support the Bill. In many towns and cities, we are coming of age, and the cafe culture will add to that. It will certainly add to the tourism product that we are trying to push to get people here.

**Mr Douglas:** As a member of the Committee for Social Development, I welcome the opportunity to speak in the Second Stage debate. I thank the Minister for bringing the Bill forward. I declare an interest: my son runs a pub in Belfast with an associated cafe.

I am old enough to remember the bad old days in Belfast, when there were very few cafes and, in fact, very few restaurants. We now have huge growth across Northern Ireland, and, in Belfast, there has been huge growth in the number of cafes and street cafes. Last weekend, I went out for a cycle at 7.30 am. I sat at a street cafe with my coffee, connected to Wi-Fi and was in touch with my son and grandson in New Zealand. I just thought, "This is heaven". To me, that shows the importance and the attraction of cafes in Belfast.

We talk about the councils taking on these cafes, and it is important that they are well managed. I could take you to another cafe in Belfast that has lots of tables and chairs, but there is a phone box beside it, which means that there is little access for families with prams, people with disabilities or, in particular, people who are visually impaired. The Minister should also remember cyclists, because they also use footpaths, some of which are designated. I know that Mark is looking at me in wonder. Some of the roads are dangerous for cyclists, so let us think about that as well.

I pay tribute to DSD for its investment in the public realm, which I see when I look at what is happening in Belfast. When I look at my own constituency of East Belfast, I see the fabulous job that it has done in the reconstruction of certain areas. This is a huge investment that will help the whole cafe infrastructure.

I am confident that the local councils will step up and look at Belfast City Council and its support for business, including the recent history of the Backin' Belfast campaign. I know that the councils will loom at this and wonder how much it will cost. My research shows that, in England, there is great disparity in the costs that councils charge cafes.

Overall, it is a great Bill. There is tremendous consensus for it, and I certainly support it.

**Mr McCausland:** I thank all the Members who contributed to the debate, and I will turn to some of the issues that they raised.

Mickey Brady started by recognising the pressure on our town centres and noting that this was one of a number of initiatives, including BIDs, to improve the viability of town centres.

Mark Durkan raised a couple of points, one of which, in fact, he then answered. He said that traders had raised the issue of costs but then said, quite rightly, that it is a matter for the local authority. I am sure that in his case, since it is the city council up there in Londonderry, he will ensure that his members, friends and colleagues on the council will encourage whatever the fee may be in Londonderry to be as modest as possible. As regards the amendment that he spoke of and whether councils will be required to consult Planning Service on new applications, the answer to that is that no permanent or semi-permanent structures will be permitted at a pavement cafe, so planning permission is unlikely to be required. Councils should, however, consult Planning Service in relation to new applications. The

placing of advertising boards, barriers or umbrellas would be a matter for Planning Service.

Michael Copeland raised the issue of —

**Mr Durkan:** Will the Minister give way?

**Mr McCausland:** OK, very quickly.

**Mr Durkan:** Thank you very much, Minister, for giving way. It is just that, when we received the evidence to Committee on this recently, my understanding was that that obligation to consult Planning Service was being completely removed from the Bill.

**Mr McCausland:** Yes, the statutory requirement for consultation with Planning Service has been dropped in anticipation of the function transferring to councils under local government reform. I understand the point in regard to an interim period, but his colleague is pressing ahead so well with the transfer of powers to local government that I am sure that we will be there in good time.

Michael Copeland raised the issue of smoking. Smoke-free legislation will not apply to pavement cafes, so smoking would be possible since it is the open air. In smoking legislation, public premises that are enclosed or substantially enclosed must be smoke-free, but pavement cafes fall outside that definition. However, he was getting at the point that I would encourage councils and cafe owners to take steps to create non-smoking areas, which would address that issue. He touched on taxation, and some people might ask whether hot food supplied from takeaway premises to a pavement cafe will be liable for VAT. That would be a matter between the operator and HMRC. Generally, the licensing scheme regulates the placing of tables and chairs on the pavement. The preparation and supply of food to customers at a pavement cafe would be subject to relevant food safety and tax laws.

I think that those were the main points that were covered. Judith Cochrane gave an excellent promotional advertisement for the attractions of east Belfast and was generally supportive of the Bill, as were the other contributors. We will all now be left with a picture of Sammy Douglas on his bicycle on a Saturday morning. If points were raised that I have not touched on, we will look over that and write separately to the relevant Members.

I am pleased with the general support for the Bill across the Assembly. I look forward to engagement with the Social Development Committee and Members of the Assembly on the detail of the licensing scheme as the Bill progresses through its remaining stages. I commend the Bill to the Assembly for approval.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Licensing of Pavement Cafés Bill [NIA 24/11-15] be agreed.*

**Mr Deputy Speaker:** I invite Members to take their ease for a few moments until the next item of business, which will be Question Time.

2.00 pm

## Oral Answers to Questions

### Enterprise, Trade and Investment

**Mr Deputy Speaker:** Questions 3, 6, 13, 14 and 15 have been withdrawn and require a written answer.

#### Economic Recovery: Marginalised Communities

1. **Mr Milne** asked the Minister of Enterprise, Trade and Investment for an update on measures to ensure that marginalised communities can fully benefit from economic recovery and economic growth. (AQO 4383/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The Executive are seeking to enhance our economic competitiveness as the means to increase employment and wealth by building a larger and more export-driven private sector. The Programme for Government clearly states that the objective behind rebalancing the economy is to improve the wealth and living standards of everyone. We published the economic strategy in March 2012. However, we recognised that we needed to take further action. The subsequent employment and jobs initiative set out a range of additional short-term measures to provide support to people impacted by difficulties in the labour market, businesses facing challenges in key markets and infrastructure investment to support the construction sector.

**Mr Milne:** Go raibh maith agat. I thank the Minister for her answer thus far. Does she agree that brand Ireland is respected throughout the world and that we have a unique position in that St Patrick's Day, along with the Chinese new year, stands out as an event that is globally recognised or celebrated? How does the Minister propose that we maximise the opportunities of our unique position?

**Mrs Foster:** We have a unique position, and I was pleased to see the way in which brand Northern Ireland went across the world last week during the G8 summit. May I say how proud I was of the very fact that we showed Northern Ireland at its best and we had the most peaceful summit in the history of G8 summits? That is something that we should be very proud about, as well as the fact that it gives us standout across the global market. One of our difficulties from the past has been the fact that, when people think of Northern Ireland, they do so in a particular way. They think about difficulties with safety and security, even though we know that, according to the police statistics, Northern Ireland is one of the safest places to live in the world. I think that the G8 will have done so much good in relation to those safety and security issues over those two short days last week, and I am very pleased that brand Northern Ireland will go out across the world in a very positive way.

**Mr I McCrea:** Part of the initial question related to economic recovery and growth. Will the Minister provide the House with an update on the jobs fund and, in particular, how that impacts in the mid-Ulster area?

**Mrs Foster:** As the Member knows, the jobs fund was launched back in April 2011. I happen to think that the jobs fund has been a very successful element of dealing with the downturn and rebuilding the economy. Between 1 April 2011 and 31 March this year, the jobs fund has promoted over 5,000 jobs, against a target of 4,333, and has created — I know that this is the figure that many Members are interested in — nearly 2,700 jobs, against a target of 2,395, which represents a conversion rate of over 50%. That is a very good conversion rate.

In respect of mid-Ulster, there are currently 56 jobs fund business investment projects at various stages of development. If they all come to fruition, they should lead to the creation of an extra 637 new jobs, 294 of which have already been created. I do not have all the figures in front of me, but I think that mid-Ulster is doing very well in respect of the jobs fund. Obviously, we are pleased about that.

**Mr Dallat:** I thank the Minister for her answer. She has my full support in attracting inward investment and economic growth. However, does the Minister agree that, at this time, there are more people in marginalised situations who will not benefit by that and that a bill of rights, supported by the Executive, would be a way forward?

**Mrs Foster:** No, I do not; absolutely not. We would be putting more restrictions on employers instead of freeing up their ability to employ more people. I actually —

**Mr McDevitt:** [Interruption.]

**Mr Deputy Speaker:** Order.

**Mrs Foster:** If the Member wants to say something, I would rather that he said it out loud to the House.

**Mr Deputy Speaker:** Order. The Minister has the Floor.

**Mrs Foster:** If the Member wants to ask a question he should go about it in the proper fashion like everybody else.

In respect of the actions that we have taken in creating more jobs, I think that the jobs initiatives that we took towards the end of 2011 and, indeed, the jobs fund in all its forms, whether it is through creating more jobs or making sure that we use technology better, and all the other parts of Boosting Business have created more jobs. That has happened right across Northern Ireland, including in those marginalised areas, and we are pleased that that has been the case.

#### Rugby World Cup

2. **Mr Rogers** asked the Minister of Enterprise, Trade and Investment what action she has taken to advance the IRFU's bid to host the Rugby World Cup in 2023 or 2027. (AQO 4384/11-15)

**Mrs Foster:** I have supported a feasibility study being undertaken by the IRFU. The Minister of Culture, Arts and Leisure and I will meet the IRFU to discuss the feasibility study. At this stage there is no way of knowing whether a bid will be submitted or whether it will be successful.

**Mr Rogers:** I thank the Minister for her response. The Rugby World Cup would be a fantastic tourism opportunity for us. I did not catch whether she has already discussed this with the Minister of Culture, Arts and Leisure.

**Mrs Foster:** Yes, I have discussed it with the Minister of Culture, Arts and Leisure. A feasibility study is under way, part of which was to ensure that we had a number of grounds right across the island, so that it would not be concentrated in one part of the island. Obviously, if we in Northern Ireland are going to commit ourselves to this bid — I hope we do — we need to make sure that we get value for the money that we put into the bid.

Part of that was to ask the GAA whether we would be able to use its stadiums, and I am pleased to tell the House that that has been given the go-ahead. Therefore, if in the right circumstances we put a bid in for the 2023 World Cup, we will be able to see it right across Ireland, including Northern Ireland, and we will be able to make sure that we get the appropriate number of games up in this part. We did not want to see them all concentrated in Dublin.

**Mr Dunne:** I thank the Minister for her answers. Can she give us an update on the planned route for the Giro d'Italia next year?

**Mrs Foster:** I know that there is much discussion across Northern Ireland on where the Giro d'Italia will go. The Tourist Board and I are keen to make sure that as much of Northern Ireland as possible is showcased, but, of course, that depends on the feasibility as judged by RCS Sport, which controls this huge event.

We have engaged a group that includes local authorities. The group met for the first time on 11 April 2013, with a number of local authorities. The exact route has yet to be finalised, and I know that we will all look forward to that announcement, which will be towards the end of the year. Right across Northern Ireland, regardless of where the route is, it will have a huge impact. We expect around 140,000 tourists to come to this event, which is not to take away from our domestic tourists or the civic pride that will be left as a legacy of such a big event.

**Mr Copeland:** I thank the Minister for her answers thus far. I presume that she will agree that the potential benefits that would flow from hosting the World Cup at a redeveloped Ravenhill would be significant. Can she assure us that she will, therefore, commit to fully considering and supporting any bid from the IRFU that may come forward in the future and ensure that it strikes a balance between the rights of those who live in the area around the stadium and the pursuit of sport?

**Mrs Foster:** Of course the Minister of Culture, Arts and Leisure takes the lead on that, but I am pleased to say today that the RaboDirect launch will take place at Ravenhill in late August. That is an indication of the importance of Ravenhill. I am pleased to see the redevelopment proceeding. The fact that we will now have a capacity of 18,000 will mean that we will be able to host RaboDirect finals in the future. There will be many rugby fans who will be pleased about that. The RaboDirect launch is happening at the end of August. We are pleased to be hosting it, and we look forward to Ulster getting a good pool and moving forward to that all-important final again.

## Manufacturing: Mid-Ulster

4. **Lord Morrow** asked the Minister of Enterprise, Trade and Investment for her assessment of the manufacturing sector in mid-Ulster. (AQO 4386/11-15)

**Mrs Foster:** Manufacturing is vital to the economy of the mid-Ulster region. It accounts for a quarter of all employment, and, although it has suffered as a result of the prolonged recession, we are beginning to see an upturn in the engineering and construction-related products sectors. That suggests that buoyancy is returning to the market.

Invest NI has been working closely with manufacturing companies in mid-Ulster and across Northern Ireland, encouraging increased investment in research and development, focusing on developing a sales base outside of Northern Ireland and helping them to develop their skills base.

**Lord Morrow:** I thank the Minister for that very encouraging answer. She is right that the engineering and manufacturing sectors are vital to the mid-Ulster area, as they are to Northern Ireland generally. What is the Minister's Department doing to further encourage investment in the manufacturing sector, not only in mid-Ulster but in Northern Ireland generally?

**Mrs Foster:** I thank the Member for his question. Having been on a number of visits with me to some of those manufacturing companies in and around south Tyrone, he will know that their constant refrain is that they very much need access to appropriate skills. We have to focus our mind on that job of work, and we are doing so with the Department for Employment and Learning (DEL). It is very important that the appropriate skills are present in the areas of Northern Ireland where the opportunities are.

In the mid-Ulster area, the continued growth of manufacturing, both heavy and small-scale, impresses me. These people are working in every corner of the globe, sometimes from quite small premises up a little road in Dungannon. They have great verve, great research and development capabilities, great innovation and, most of all, they are entrepreneurs. We need to encourage them to look to those new markets and help them go to far-flung places and overcome all the barriers that they will face there, whether they are cultural barriers, language barriers or issues with export licences. We will do all that we can.

The visits that I undertake to all of those companies are a great help to me when trying to understand what practical help they need. I will continue to visit as many companies as I can to try to understand their needs.

**Mrs Overend:** I thank the Minister for her positive comments about the export potential of the manufacturing companies in mid-Ulster. Does she agree that the road infrastructure to the constituency of Mid Ulster is very important? If so, will she support the Executive committing the money that Roads Service needs to upgrade the road infrastructure to that constituency?

**Mrs Foster:** Sometimes, Members think that I am a Minister for a lot of things, but I am not the Minister with responsibility for road infrastructure. Her party colleague Danny Kennedy is the Minister with that responsibility, and he will bring his priorities to the Executive, particularly for June monitoring, and we look forward to looking at all of those proposals.

Infrastructure is very important: the Member is right about that. However, it is not just road infrastructure; our telecommunication infrastructure is all important. At the risk of inviting Members to have a go about



telecommunications, we need to remember that we have the best infrastructure in the UK. That is a fact from Ofcom, and we need to remember it. That is a very useful tool for us when we are selling Northern Ireland as a place to do business in.

### Businesses: Border Areas

5. **Mr Hazzard** asked the Minister of Enterprise, Trade and Investment to outline what additional measures her Department can take to address the challenges facing businesses in border areas. (AQO 4387/11-15)

**Mrs Foster:** By delivering the commitments outlined in the Northern Ireland economic strategy and the Executive's economy and jobs initiative, my Department is responding to the challenges facing businesses, not just in border areas but right across Northern Ireland. We have made considerable progress towards the delivery of the key commitments that we made in the Programme for Government and the Northern Ireland economic strategy.

Between April 2011 and March 2013, Invest Northern Ireland promoted 13,870 jobs and supported projects that will secure investment of more than £780 million and deliver £168 million of business investment in research and development. Over 40% of that research and development will come from small and medium-sized enterprises.

2.15 pm

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. Can she outline whether she has had discussions with businesses in these border areas? If so, what is the message that they are giving you? What are they asking you to do?

**Mrs Foster:** Of course I have had discussions with businesses in border areas. Indeed, I was in Newry just last week opening a marvellous new facility for MJM Marine. I was very pleased to do that and to see the way in which it intends to grow its facilities.

I have a border constituency myself, and I engage with all the businesses there if and when they ask me to. They are talking about the capacity to do business in new markets. The challenges that face them are sometimes out of my reach. We have to grapple with the challenge of higher energy costs in Northern Ireland and, of course, with the big one, which is access to finance. Access to finance remains a critical element for small businesses in looking at how they can grow. Businesses are sometimes afraid to go to their banks and do not go to them at all. Those that do go to their banks fear that they will not get the requisite money to grow. As the Member will be aware, we brought in a number of schemes through Invest Northern Ireland to try to bridge that gap.

So, there are challenges in access to finance and high energy costs. It is about ensuring that we have the appropriate skills available and giving support to allow business to go into new markets.

**Mr Byrne:** I thank the Minister for her answers. Does the Minister agree that, in some border areas, the aggregates tax is distorting trade and having an adverse effect on it, particularly for quarry products and concrete products? Will she do anything that can be done to try to help those who are on the Northern side of the border?

**Mrs Foster:** My party colleague the Finance Minister has taken a very close interest in the aggregates tax. He has raised the issue with the Treasury in London on very many occasions. I think that it understands that we have a difficulty with the land border, and it will continue to work with us.

I commend the Member and other Members who attended last week's jobs fair launch in Omagh. That was a very practical example of a local enterprise taking initiatives to help those young people who are having difficulties finding a job as it encourages employers to come forward, perhaps not with a permanent job, but with a temporary job, a part-time job or a work placement for a young person so that they can gain experience and then move on into the world of work. It was an excellent launch hosted by the 'Ulster Herald' and the 'Fermanagh Herald', and I look forward to its outcome. I really want to support those kinds of local initiatives.

**Mr Cree:** The land border with the Republic of Ireland is one of the major drivers for the devolution of corporation tax powers. Given that that issue is now on the long finger and that the Prime Minister announced the devolution of other fiscal powers in the economic pact, what additional powers would the Minister like to see devolved to Northern Ireland?

**Mrs Foster:** First, I would not say that the devolution of corporation tax powers has been put off into the dim and distant future. It has, of course, been put off until after the Scottish referendum, which has a very definite date in the calendar. Therefore, we are pushing ahead. One of the important things in the economic pact, which I am sure the Member did not miss, is the move to look at to how to implement the whole issue of the devolution of corporation tax. It was not just put on the long finger — the economic pact talks about looking at how to implement that devolution.

If the Member looks at the wording of the economic pact, he will see that we are discussing whether the devolution of other fiscal powers is a possible way forward. I think that you will find that there will be many discussions on that in the coming months.

### Tourism: All-island Infrastructure

7. **Mr Maskey** asked the Minister of Enterprise, Trade and Investment for an update on activities aimed at developing an all-island tourism infrastructure. (AQO 4389/11-15)

**Mr Maskey:** Ceist uimhir a seacht.

**Mrs Foster:** Is that question 7?

**Mr Deputy Speaker:** The Member indicated question 7.

**Mrs Foster:** As a Minister of the Northern Ireland Executive, my focus is on developing Northern Ireland's tourism infrastructure. However, in doing so, I am content to consider those areas in which a North/South approach is of benefit to the Northern Ireland economy. Tourism Ireland works across 30 markets to promote the island of Ireland and has a specific remit to promote Northern Ireland overseas.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her response. Has the Minister had any contact with her counterparts in the South of Ireland to see whether we can build on the relatively good news that came from the recent G8 activities and visits?

**Mrs Foster:** If the Member had been here for the start of Question Time, he would have heard me talk about the impact of the G8, not just for County Fermanagh but for the whole of Northern Ireland. I pay tribute to our Prime Minister for bringing the G8 to Northern Ireland and for allowing us to have that global standout for two very important days. Indeed, it was more than that because we had so many journalists with us for a prolonged period to find out about the backstory of Northern Ireland. We look forward to working with the Tourist Board, Invest Northern Ireland and Tourism Ireland to make sure that Fermanagh and Northern Ireland get the standout that they deserve after the G8 summit, and that is a job of work that I have tasked those three organisations with.

**Mr Newton:** Does the Minister agree with me that it is the responsibility of this Assembly to promote Northern Ireland within the boundaries of Northern Ireland and that, in many cases, an all-Ireland approach takes us into the same area as our competitors? Does she agree that we should concentrate our efforts in Northern Ireland to promote all our assets that many in the G8 found so attractive during their experience here for those few days?

**Mrs Foster:** There are some continuing issues that we discuss at the North/South Ministerial Council. I have another North/South Ministerial Council meeting on tourism tomorrow in Armagh, and one of the issues that we will talk about is the fact that I feel that we need to concentrate more on getting standout for Northern Ireland in the Tourism Ireland campaigns across the world.

The legislation that sets out Tourism Ireland's remit states specifically that it has to give standout to Northern Ireland. I know from having spoken to my counterpart in Dublin that some regions of the Republic of Ireland also feel that they are not getting the standout that they require for their tourism needs. We are looking at all those issues and we will talk about them again tomorrow at the North/South Ministerial Council. I always welcome the opportunity to discuss those matters because we have a marvellous tourism product to sell, and we need to do it right across the world in the most proactive way.

**Mr McDevitt:** I am sure that the Minister will want to join me in congratulating Tourism Ireland for achieving standout for Northern Ireland in the context of the G8 celebrations and ensuring that the message was heard in all our key international markets. Does she agree that the time has now come to build on that standout and to deepen and widen Tourism Ireland's involvement, because it has led from the front and consistently delivered results for our region?

**Mrs Foster:** Part of the role of Tourism Ireland during the G8 was to work in partnership with the Northern Ireland Tourist Board, and it has done that on a number of occasions. However, this was really the first time that we had a holistic approach to investment and tourism, and I was very pleased to see the way in which Invest Northern Ireland worked with Tourism Ireland and the Northern Ireland Tourist Board on some of the branding that came out of the G8 summit. That is one reason why I have said to the three bodies that I now want to see how they will take that forward and how they will work more collaboratively in the future.

When we talk to people about investment, they often want to know what type of a place it is to visit and whether there

are, for example, good golf courses or nice theatres. We need to get the whole story out about Northern Ireland, not just little bits. If he is asking me whether I am pleased with the work that was carried out by the three agencies, I am very pleased indeed.

**Mr McDevitt:** Tourism Ireland.

**Mrs Foster:** I have no difficulty in saying that I am pleased with the work of Tourism Ireland. If he wants me to say it three times, I will. I have no difficulty in saying that Tourism Ireland, along with the other bodies, did a good job on the G8 summit. We cannot sit on our laurels. We have to say what will we do next and how we will further promote our tourism product. I am sure that Mr McDevitt will be delighted that Tourism Ireland has come forward with a bespoke Fermanagh campaign that is being delivered in the Republic of Ireland market to leverage the opportunities that came on the back of hosting the G8 summit. So I am delighted with that and very pleased to see the way in which it all happened.

**Mr Deputy Speaker:** Dominic Bradley is not in his place. I call Trevor Clarke.

## National Trust

9. **Mr Clarke** asked the Minister of Enterprise, Trade and Investment for her assessment of the contribution the National Trust makes to the local economy.  
(AQO 4391/11-15)

**Mrs Foster:** The National Trust in Northern Ireland manages 63 places and spaces covering 120 square kilometres of countryside and approximately 30% of our coastline. Given the location of the majority of those sites, the National Trust is particularly important to our rural economy. In Northern Ireland, the National Trust currently employs nearly 290 permanent staff and a further 240 staff on a seasonal basis.

**Mr Clarke:** I thank the Minister for her answer giving the numbers in employment with the National Trust. However, would the Minister like to comment on the car parking charges, toilet facilities and entrance fee charges at one of the National Trust's most recent superior investments on the Causeway Coast?

**Mrs Foster:** I know that there have been complaints. Most recently, I listened to colleagues from across the political spectrum make complaints about car parking at the Giant's Causeway.

The Tourist Board and other funders have convened a project monitoring group, which oversees the conditions within the National Trust letter of offer in respect of the Giant's Causeway visitor centre. We have been made aware, and indeed have made the National Trust aware, that there have been a number of recurring visitor complaints. We want to make sure that, when people go to the Giant's Causeway, one of our premier sites in Northern Ireland, they have a value-for-money experience and one that they remember for all the right reasons. So I very much hope that we can come to a good conclusion on this.

Obviously, there have been a huge number of visitors to the Giant's Causeway, and we are very pleased to see that. Access to the stones is free; you do not have to pay to access the stones. I think that the confusion arises in relation to the car park and car park charges. We hope to

get clarity on that. However, ultimately, it is a matter for the National Trust.

**Mr Kinahan:** I congratulate all involved in the G8 on its huge success. However, on with this question. Has the Minister looked at other ways of increasing the number of people coming to Northern Ireland? In this case, we are talking about Antrim, but it is about getting people to other historic buildings — I must declare an interest there — and, at the same time, getting the cruise liners here more often and for longer.

**Mrs Foster:** I was absolutely delighted to see that Belfast harbour has now set in train a new terminal for cruise liners. We expect to have in and around 60 this year; I think that we had just over 43 last year. It is a growing market for us. One of my difficulties is that those people are not captured in the tourism statistics; only people who stay in hotels or other accommodation are captured by the tourism statistics. I think that there were about 100,000 of those visitors to Belfast, and indeed some to Londonderry, last year. It is very important that we continue to value those people as well, because they are quite high-spending tourists to Northern Ireland. We want to make sure that they have a quality experience and an experience that they will remember for all the right reasons. They will want to do different things from perhaps some of our other tourists. Therefore, you are right to say that it is important to make sure that they have the correct itinerary for when they get off the ship and have a good choice to make.

**Mr Allister:** As Minister with responsibility for tourism, does the Minister agree that it is grossly unfair and a disincentive to tourism that, if a carload of four people arrives to park at the Causeway, not intending to use the centre, because they have already seen it, but intending to go to the stones, they are each charged £8.50 — or whatever the precise figure may be — to park? That is an extortionate amount and a gross disincentive. As Minister with responsibility for tourism, will she condemn that and press for change?

**Mrs Foster:** As I indicated, I think that there are difficulties in and around that. I think that it is disproportionate. I have to ask myself whether I would be happy to pay that amount of money to access the visitor centre if I went with my family. I am not sure that I would. Therefore, I think that the National Trust does need to consider whether its current charging policy is the correct one. I hoped that more people would use the park-and-ride facility from Bushmills and, indeed, enjoy Bushmills, which is a lovely little village that is developing in a good way. I had hoped that the trust would work more proactively with the community in the village of Bushmills, and, if I were to say anything else to the trust today it is that I want to see more working with the Bushmills community.

2.30 pm

## Environment

### Belfast Metropolitan Area Plan

1. **Mr Easton** asked the Minister of the Environment for an update on the Belfast metropolitan area plan. (AQO 4398/11-15)

#### **Mr Attwood (The Minister of the Environment):**

I thank the member for his question. I broke with all previous procedures and practice when, over a year ago, I published a draft Belfast metropolitan area plan (BMAP). Previously, draft BMAPs were not published, and I published it to create certainty, avoid doubt, to be decisive and to show people what was outlined in it. I am very anxious to see BMAP adopted, and we are in the final stages of that approach. The only outstanding matter of any significance is the views of the Housing Executive on housing provision in Belfast. Those matters and conversations are about to come to an end, on the far side of which I will submit BMAP to the Minister for Regional Development, who has to issue a certificate of general conformity with the regional development strategy (RDS) 2035. Thereafter, I intend to publish it.

**Mr Easton:** I thank the Minister for his answer. Does he agree that the Tullymore House group's announcement of a new hotel in Belfast is to be welcomed and that this should not be held up by planning regulations?

**Mr Attwood:** If you look at the story of hotel applications and other significant applications over the past couple of years, therein lies the answer. In Derry, in the run down to the City of Culture, multiple decisions were taken on hotel and hostel accommodation. Whether those were taken forward by developers is another matter. It is no less the case for hotel developments, potentially, in the centre of Belfast, not least given that it is proposed to develop one of Belfast's most prominent landmark sites. It is a heritage site, a listed building and one that will create profile and opportunity for the people of the city. I also welcome the fact that there will be development of tourism facilities in the city of Belfast so quickly after the Assembly receives a report from me on the new planning policy statement (PPS) for tourism.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra. Minister, following on from the debate yesterday, how long has it taken the process to bring the draft area plan to this point? Does the Minister now see the need for significant economic zones?

**Mr Attwood:** Once again, the Member is clearly as muddled today as he was yesterday. There has been an historical problem with development plans. No one denies that. There have been historical delays around development plans, not least because developers have taken the Northern Ireland Government all the way to the Supreme Court or to the European Court. That is one of the reasons why there have been delays in rolling out development plans in the North.

Can you explain to me, Mr Boylan, how economically significant zones, as proposed by the Office of the First Minister and deputy First Minister (OFMDFM), will in one way or another change the developer's mind about challenging the process around planning? There is a muddled view by some Members, thinking that the problem around development plans can somehow be resolved by giving powers to an office that has neither the competence, the calibre, the capacity or the resources to deal with planning applications. That is digging yourself into holes. It seems that one Member continues to dig himself into even deeper ones.

**Mr A Maginness:** I commend the Minister on bringing BMAP almost to the stage of adoption. What will the principle benefits be for the economy of Northern Ireland once BMAP is adopted?

**Mr Attwood:** I hope that, in the run down to the review of public administration (RPA), councils will take forward the preparatory work on local development plans for the new council clusters and that, as quickly as possible after RPA, they will take forward the adoption of development plans in their areas. The benefit of that, as BMAP will demonstrate for Belfast, is plan-led development. That is the best development. You gather your resources, map out the shape of your community or council area and, therein, define what should happen with the use of space, including the use of shared space in the future. That is a reference to yesterday's debate. Then you have the best opportunity to maximise development in that area in a high-quality and sustainable fashion.

Look at the South. They have had serious planning issues; nonetheless, 80% of the land mass of Ireland is now covered by local development plans. Look at Clare, in particular, where they recognise that one of their greatest assets is the quality of their wind and tide. The development plan in Clare puts that at the heart of development because it uses the natural assets to create economic and development opportunities for its people and the area. It will be the same for Belfast and for many other areas that, in the future, adopt development plans.

**Mr Cree:** BMAP seems to have dragged on forever. I congratulate the Minister on taking the initiative last year. However, the local government boundaries are not coterminous with the BMAP boundaries. Does the Minister envisage any difficulties in moving that forward at the same time?

**Mr Attwood:** No. When BMAP is adopted, it will set the development process for the BMAP area up to 2015 and beyond, but in the run down to 2015 and beyond, it will fall to local councils, as I indicated in my previous answer, to do preparatory work in respect of the next phase of development plans. I expect that Belfast will concentrate its mind on that particular task. I hope that other council clusters will do similarly. That is why some council clusters have already come to the Department and looked for early work to be done in the run down to RPA to ensure, as I said earlier, that councils hit the ground running when it comes to taking forward development plans. There will be boundary issues, but they should not be an impediment to taking forward work in respect of local development plans.

## Dereliction Intervention Funding Programme

2. **Mr Milne** asked the Minister of the Environment whether his Department plans to expand its dereliction intervention programme. (AQO 4399/11-15)

**Mr Milne:** Ceist uimhir a dó.

**Mr Attwood:** I thank the Member for his question, and I confirm that, in my bid for June monitoring moneys, I made a further bid for dereliction and decay funds — on this occasion, £1.5 million. The reason why I did that — and I look to all ministerial colleagues to make representations to the Finance Minister — is that, over the last 18 months, from a standing start, with no programme in place or budget line in existence, we have been able to roll out

dereliction interventions in nine council areas. I want to see that the remaining council areas — the 17 other council areas — have the opportunity to do what Coleraine, Portstewart, Portrush, Enniskillen, Belfast, Derry and other places have been able to do: tackle eyesore sites, mitigate their appearance and, as a consequence, improve residential amenity and the tourist and retail experience. That is a win-win for everybody, and I hope that Sammy Wilson hears that message.

**Mr Deputy Speaker:** I remind Members to provide a translation so that all Members are able to follow.

**Mr Milne:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo.

Has Magherafelt District Council applied for the dereliction fund under the original programme? If not, will it be given an opportunity to do so under an expansion programme?

**Mr Attwood:** My recollection is that, of the 26 councils invited to apply, 22 or 23 did so. I will have to check whether Magherafelt was one of them. If it applied previously or if it wants to apply now, it is welcome to do so, and I encourage it to do so. Each council's bid is assessed against a template because money is not limitless. Nonetheless, the opportunities are significant. As money has gone to Coleraine, Derry, Fermanagh, Belfast, Down, Limavady, Moyle, Lisburn and Newry and Mourne, I would like the other councils, including Magherafelt, to get their fair share.

Councils have a responsibility to deal with dereliction in their area. That is why I held a blight summit three or four weeks ago. I gathered together the relevant officers from all councils and encouraged them to do what Belfast City Council does, which is to audit all dereliction sites, identify the worst eyesores and, under improvement and pollution control legislation, systematically take action against the owners of those sites, with some success. Councils have it within their resources and legal powers to do more, and I encourage all councils to do more.

**Mr G Robinson:** Does the Minister agree that dereliction intervention can have a very positive impact, as happened in the north coast area in recent months? I hope that the programme can be extended to Limavady in the near future.

**Mr Attwood:** I would not differ from one syllable of what the Member said, and I hope that Sammy Wilson would not either.

**Mr Dallat:** While my colleagues queue up for additions to the anti-dereliction scheme, I would like to ask the Minister, as an inspirational member of the Executive, what should happen when the curtains become faded and those happy clowns become miserable?

**Mr Attwood:** Although there are some healthy signs for the economy, unfortunately, this period will last longer than we might imagine. Consequently, the work on dereliction does not just have to be rolled out across council areas; in my view, it has to be reconfigured. What do I mean by that? When I was in the City of Culture last week, I sat down with colleagues — the retailers, the traders and the representative bodies of Derry City Council — to see how we could take forward the work on dereliction into a vacant spaces project. Not only do you deal with the appearance of the eyesores, you try to reform those sites into the image of something positive. I looked to Derry City Council

to produce a template of how to build on dereliction funding that could be deployed across all council areas.

The Member makes a wider and bigger point: these are moderate sums for big impact in many council areas. In my view, we also need to gather together the Department of the Environment (DOE) and the Department for Social Development (DSD), and other funding bodies so that we can make more strategic interventions, as happened in the main Street in Enniskillen in the run down to the G8 in Fermanagh, that maximise the impact of all our moneys. I tried to do that in the development on the north side of the city, given the economic driver that will emerge with the construction of the new university. I understand that demolition of the existing Yorkgate facility is about to commence. I think that the Government need to use that area as a pilot for concentrating minds and resources to create the maximum corporate outcome.

### Natural and Built Heritage: South Down

3. **Mrs McKeivitt** asked the Minister of the Environment for an update on his Department's investment in both the natural and built heritage in the south Down area. (AQO 4400/11-15)

**Mr Attwood:** I thank the Member for her question, which is very important, not least because people in south Down and Down generally think that they are, in some way, the forgotten county when it comes to government attention. That is why, in 2012-13, £1.25 million of DOE money was invested in various projects across the constituency, including historic monuments, listed buildings, natural heritage grants and other funding. However, that does not tell the full story.

In my judgement, there is untapped potential, particularly from St Patrick, in Christian heritage and tourism and job opportunities. That is why we, working through and beyond the development plan produced by the MP for the area, Margaret Ritchie, on the Christian and St Patrick heritage, are attempting to roll out an improvement in facilities around the highest-profile Christian and St Patrick heritage sites in order to grow the St Patrick experience and, as a consequence, increase jobs and opportunities.

#### 2.45 pm

**Mrs McKeivitt:** I thank the Minister for a very detailed and positive answer. Given the importance of the St Patrick-related heritage sites in south Down, are there any plans to carry out any exploratory archaeological work in the future?

**Mr Attwood:** Work has been done historically on, for example, targeted excavations at the Mound of Down. As people travel into Downpatrick, they will see that the Department has removed a lot of trees and foliage around the mound to expose what is there, which is another natural and historical heritage experience in that part of the world.

There have also been excavations at Struell Wells and at St Patrick's experiences in and around Downpatrick. There will be more. Aerial surveys that have been conducted around Inch Abbey, Dundrum Castle and the Mound of Down have shown that there are further archaeological opportunities. Therefore, the growth of archaeological heritage can grow tourism and tourism jobs.

The St Patrick's experience is the sleeping giant of Irish tourism and, potentially, of Irish life. I have been making the argument in the Department, around the Executive table and at the Tourist Board that, on the far side of all the big investments and various other signature projects, it is now the time for St Patrick, it is now the time for the County of Down, and it is now the time for the town of Downpatrick. We need to grasp that opportunity now and over the next two decades.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I welcome indeed the Minister's comments. Such investment in our natural and built heritage is very important. We have seen recently around the old part of Newcastle that the built heritage of the harbour has been improved immensely by dereliction funds. You touched on this in the previous answer, but are there any plans in the pipeline to roll that out extensively so that other towns and villages throughout south Down might benefit from such funds?

**Mr Attwood:** As I indicated, I would like to see moneys released in each of the monitoring rounds in this financial year. If those moneys are released, they will be deployed across other council areas. I have no doubt that moneys will also go to the relevant councils for the constituency of South Down and neighbouring constituencies. The answer is clear, but 18 months after starting to make the argument about dereliction, I hope that others on either side of and across the parties in the Chamber will hear that we believe that, for moderate moneys, there can be a big impact. That impact should be rolled out in many towns, villages and hamlets.

I believe in other strategic interventions. For example, this is probably a comment about me, but this time last year I visited Dundrum Castle for the first time. Given that experience and other representations, including from the area's MP, we are now going to have a lighting strategy around Dundrum Castle, we are improving pedestrian access into the castle from the car park, and we are going to have a small visitors' centre. In my view, people drive by that asset, whereas the experience around Dundrum Castle, the setting, the heritage and the beauty of that site has much more potential. That is why we are putting much more money into it.

**Mrs Overend:** Thank you very much, Mr Deputy Speaker. I thank the Minister for his responses. There is no doubt that Northern Ireland's natural and built heritage is one of our greatest assets. However, a serious problem for the protection and promotion of that heritage appears to be a skills shortage in contractors to work on such buildings. Is the Minister aware of such a problem?

**Mr Attwood:** I would welcome hearing precise details of what that might be. Part of the life of the Northern Ireland Environment Agency (NIEA) is to have a school of people with the skills that are necessary to help with the maintenance of our heritage sites. For example, the reason why the walls of Derry are in the condition that they are in today — arguably, they are the best that they have been for decades — is because of the resource and skills that exist in the Environment Agency and that are deployed for the preservation and maintenance of the walls. So, there are skill sets in the Environment Agency that can be deployed for our heritage assets. If there are examples of a need to upgrade industrial skills to maintain our heritage, I will welcome hearing about them. A dedicated programme,

if one does not already exist, whereby the Minister for Employment and Learning works with the Environment Minister to create a programme to upgrade people's skills to maintain and preserve our heritage assets would be well worth looking at.

### Planning: Non-farming Rural Dwellers

4. **Mr McMullan** asked the Minister of the Environment whether he has any plans to provide greater flexibility in planning to enable non-farming rural dwellers to build in the countryside. (AQO 4401/11-15)

**Mr Attwood:** I thank the Member for his question. There are six ways under PPS 21 whereby a non-farming rural dweller has opportunities to live in a rural area. I will give you three examples: conversion and reuse of non-residential dwellings; replacement dwellings; and newbuild within an existing cluster or ribbon of buildings. The policy was shaped to create opportunities for non-farming rural dwellers.

We looked at five areas of planning policy as part of the operational review of PPS 21 to identify how there can be more consistency, opportunity and flexibility — consistent with the spirit and substance of the policy — to ensure that farming or non-farming rural dwellers have opportunities to live in that environment.

**Mr McMullan:** Will the Minister accept that a single dwelling in the countryside should be allowed where it integrates with existing vegetation and that there should be a presumption in favour of development if that test is met, whether or not the individual comes from a farming background?

**Mr Attwood:** I must say to the Member that if there are issues with individual planning applications or the interpretation of the policy, he should come and speak to me. Many other Members do. I cannot recall whether this particular Member has. Some comments are being made on the far side of the Chamber, probably because Members there have come and spoken to me. If I were to press the point to the Member who is nodding in recognition of that, he would probably say that he has experience of working with me in the planning system, where flexibility, consistent with the spirit and substance of the policy, was deployed to the benefit of those who had work reasons for needing a newbuild next to a place of work in a rural area. If there are examples, come and talk to me.

Part of the operational review has been to interrogate five aspects of the planning policy statement — dwellings on farms; new dwellings in existing clusters; replacement dwellings; conversion and reuse of existing buildings; and ribbon developments — to ensure consistency and flexibility. If the case or cases that the Member may wish to refer to me fall within that flexibility, I am sure that the planning system will work to the benefit of the applicant.

**Mr I McCrea:** I can confirm that I have used the Minister's good offices in respect of planning applications, and I do not apologise for that. The Minister referred to the review that is taking place. When does he hope to provide his decision on that?

**Mr Attwood:** I thank the Member for his question. He is right to make no apology. In my experience as Minister, it is only by interrogating the individual case, and, in particular, individual cases raised by Members who do not just routinely raise cases with the private office, and by

identifying a point where there should be a review, that you can work through to a better outcome. Quite a number of Members will see that.

The operational review is a real-time assessment of what is going on in planning offices in terms of the application, consistency and interpretation of PPS 21. It will continue to be an operational review. Individual cases will be peer reviewed by senior managers in the planning system to ensure that any doubt, inconsistency or gap in interpretation is cleared. That said, it is my intention to table, before recess, a statement on the operational review and its conclusions.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Thank you, Mr Deputy Speaker. Gabhaim buíochas leis an Aire chomh maith. My thanks to the Minister as well. I share the views of Mr McCrea. On many occasions, the Minister has afforded me the opportunity to discuss cases for applications in rural areas. Like him, I —

**Mr Deputy Speaker:** Can we have a question, please?

**Mr McGlone:** It is a big change from the draconian PPS 14, which was overseen by Minister Murphy at the time. My question relates to the harmonisation of opportunity for development in the countryside for those of a non-farming background, since one opportunity is afforded every 10 years to those from a farming background. Has the Minister looked into the consistency of application for those of a non-farming background who have a site, subject to normal compliance with the likes of location, site and design and policy?

**Mr Attwood:** I am satisfied that the policy is the right policy; I am satisfied that the policy complies with wider European and other obligations. It may be somewhat premature to look at the application of a policy that permits a newbuild every 10 years, given that we are in the early years of PPS 21, but, if the Member thinks that there is something, even in that regard, that needs further consideration, flexibility or adjustment, I will certainly look at it.

### Local Government (Reorganisation) Bill

5. **Ms Lo** asked the Minister of the Environment to outline when he plans to introduce the local government reorganisation Bill. (AQO 4402/11-15)

15. **Mr Hamilton** asked the Minister of the Environment for an update on the local government reorganisation Bill. (AQO 4412/11-15)

**Mr Attwood:** I thank the Member for her question. As she will be aware, it had been my aspiration that the House would have the opportunity for the First Reading and Second Reading of not only the local government reorganisation Bill but the road traffic amendment Bill. The local government reorganisation Bill has been with the Executive since 8 April. Whilst we have had some conversation in that regard at one Executive meeting, it has not yet come through to full Executive discussion. However, I hope that, by this Thursday, the Bill will be discussed and approved by the Executive. If it is not out of turn to say so — there has been a conversation with the Speaker's Office about having the First Reading next week in order to ensure that the full Bill and its content, which is confidential at the moment, will be publicly available so that people are able to comment on it over the summer,

in advance of the Second Reading and Committee Stage thereafter.

**Mr Deputy Speaker:** Can the Minister confirm his intention to group that question? Indication was given earlier that he would.

**Mr Attwood:** Sorry, we are grouping the questions.

**Ms Lo:** I thank the Minister for his response. In light of the continued failure of certain councils to practise power sharing at AGMs over the past number of weeks, what steps is the Minister taking to ensure that there will be equitable power sharing in statutory transition committees and the new councils?

**Mr Attwood:** The appointment of statutory transition committees, as with voluntary transition committees, is subject to guidance. That guidance lays down requirements in respect of the management and membership of the transition committees, be they statutory or voluntary. Therefore, there is guidance that informs councils of the standards against which they should be judging themselves when it comes to the appointment of members of the statutory transition committees. Given that they will have statutory function and that, for example, they will have the power to appoint chief executives, I trust that councils will look at that guidance and live by it. If, 700 days from local government reorganisation, any council was still clinging to the past, still clinging to the days of exclusion, still not embracing the full outworking of proportionality and power sharing, at this phase of our history in the run down to local government reorganisation, when there will be legislative requirements in respect of power-sharing arrangements and the structures therein, it would send out a profoundly negative message. It would be a sign of the past, not of the future.

I assure the Member that I will be looking at the outcomes of the elections for mayors, deputy mayors, chairs and vice-chairs in relevant councils over the past number of weeks to determine whether and where there has been a breach of what I think are the right standards.

**Mr Deputy Speaker:** That ends questions to the Minister of the Environment. I ask Members to take their ease for a few moments as we change the staff at the Table.

3.00 pm

*(Mr Speaker in the Chair)*

## Executive Committee Business

### Planning Bill: Consideration Stage

*Debate [suspended on 24 June 2013] resumed.*

**Mr Speaker:** We now move back to the Consideration Stage of the Planning Bill. Members will recall that, owing to the tabling of a petition of concern on amendment Nos 21 and 23, proceedings on the Bill were halted yesterday after the Question on amendment No 20. I remind Members that the group 1 and group 2 debates were concluded yesterday. The debate on the group 3 amendments will begin today when we reach amendment No 24.

We will resume consideration of the Planning Bill with the Question that clauses 4 and 5 stand part of the Bill. The remaining group 1 amendments will be moved formally as we go through the Bill, and the Question on each will be put without further debate. Once the group 3 debate is completed, any further amendments will be moved formally as we go through the Bill, and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

*Clauses 4 and 5 ordered to stand part of the Bill.*

#### **Clause 6 (Determination of planning applications)**

**Mr Speaker:** I remind Members that I have received a valid petition of concern on amendment No 21, so the vote will be on a cross-community basis.

*Amendment No 21 proposed:* In page 5, line 23, after “economic” insert “and environmental”.— *[Mr Swann.]*

*Question put, That amendment No 21 be made.*

*The Assembly divided:*

*Ayes 53; Noes 31.*

### AYES

#### **Nationalist**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O’Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

#### **Unionist**

*Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mrs Overend, Mr Swann.*

#### **Other**

*Mr Agnew, Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mr Kinahan and Mr Swann.*

**NOES**

**Unionist**

*Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

Total Votes	84	Total Ayes	53	[63.1%]
Nationalist Votes	36	Nationalist Ayes	36	[100.0%]
Unionist Votes	43	Unionist Ayes	12	[27.9%]
Other Votes	5	Other Ayes	5	[100.0%]

*Question accordingly negated (cross-community vote).*

**3.15 pm**

*Amendment No 22 proposed: In page 5, line 25, at end insert*

*“(1A) In that Article after paragraph (3) add—*

*“(4) The Department must, not later than 3 years after the coming into operation of section 6(1) of the Planning Act (Northern Ireland) Act 2013, review and publish a report on the implementation of this Article.*

*(5) The Department must make regulations setting out the terms of the review.”.— [Mr Attwood (The Minister of the Environment).]*

*Question, That amendment No 22 be made, put and agreed to.*

**Mr Speaker:** I remind Members that I have received a valid petition of concern in relation to amendment No 23. The vote will be on a cross-community basis.

*Amendment No 23 proposed: In page 5, line 30, after “economic” insert “and environmental”.— [Mr Swann.]*

*Question put, That amendment No 23 be made.*

**Mr Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three minutes and move straight to the Division.

*The Assembly divided.*

**Mr Speaker:** There has been a small technical hitch. Unfortunately, we will have to run the Division again.

*The Assembly divided:*

*Ayes 54; Noes 31.*

**AYES**

**Nationalist**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O’Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mrs Overend, Mr Swann.*

**Other**

*Mr Agnew, Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mr Kinahan and Mr Swann.*

**NOES**

**Unionist**

*Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

Total Votes	85	Total Ayes	54	[63.5%]
Nationalist Votes	37	Nationalist Ayes	37	[100.0%]
Unionist Votes	43	Unionist Ayes	12	[27.9%]
Other Votes	5	Other Ayes	5	[100.0%]

*Question accordingly negated (cross-community vote).*

**3.45 pm**

*Question put, That the clause, as amended, stand part of the Bill.*

*The Assembly divided:*

*Ayes 68; Noes 16.*

**AYES**

*Mr Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O’Dowd, Mr P Ramsey, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr A Maginness and Mr McGlone.*

**NOES**

*Mr Agnew, Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mr Agnew and Ms Lo.*

*Question accordingly agreed to.*

*Clause 6, as amended, ordered to stand part of the Bill.*



*Clauses 7 to 10 ordered to stand part of the Bill.*

**New Clause**

**Mr Speaker:** We now come to the third and final group of amendments for debate, which deal with appeals, commencement and technical amendments. With amendment No 24, it will be convenient to debate amendment Nos 25, 26, 28 to 30, 32 and 34. Members will note that amendment Nos 32 and 34 are consequential to amendment Nos 20 and 26. I remind Members that I have received a valid petition of concern in relation to amendment No 24. Therefore, the vote on amendment No 24 will be on a cross-community basis.

**Mr Agnew:** I beg to move amendment No 24: After clause 10 insert

***“Third party right of appeal***

**10A.** *In Article 32 of the 1991 Order (Appeals) after paragraph (1) insert—*

*“(1A) The Department may by regulations provide for an appeal under paragraph (1) to be made by a person other than the applicant, subject to such limits as may be specified.*

*(1B) Regulations under paragraph (1A) shall not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”*

*The following amendments stood on the Marshalled List:*

No 25: After clause 12 insert

***“Appeal in default of planning decision***

**12AA.**—*(1) In Article 33 of the 1991 Order (appeal in default of planning decision) for “or 25AA” substitute “, 25AA or 25AB”.*

*(2) In section 60 of the 2011 Act (appeal against failure to take planning decision) for “or 48” substitute “, 48 or 50”.— [Mr Attwood (The Minister of the Environment).]*

No 26: After clause 12 insert

***“Review of certain decisions***

**12A.**—*(1) After Article 33 of the 1991 Order insert—*

***“Review of certain decisions***

**33A.**—*(1) This Article applies to—*

*(a) any decision by the Department or OFMDFM to—*

*(i) grant or refuse planning permission;*

*(ii) grant or refuse any consent, agreement or approval of the Department or OFMDFM required by a condition imposed on a grant of planning permission; or*

*(iii) grant or refuse any approval of the Department or OFMDFM required under a development order;*

*(b) any determination of an appeal under Article 32 by the planning appeals commission,*

*where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.*

*(2) Subject to paragraph (3), a decision or determination to which this Article applies shall not be subject to appeal or liable to be questioned in any court.*

*(3) A person aggrieved by a decision or determination to which this Article applies may, within 6 weeks of the decision being taken or the determination being made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—*

*(a) the compatibility of the decision or determination with the Convention rights; or*

*(b) the compatibility of the decision or determination with EU Law.*

*(4) The period referred to in paragraph (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.*

*(5) In this Article—*

*“the Convention rights” has the same meaning as in the Human Rights Act 1998;*

*“EU law” means—*

*(a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and*

*(b) all remedies and procedures provided by or under those Treaties.”.*

*(2) After section 60 of the 2011 Act insert—*

***“Review of certain decisions***

**60A.**—*(1) This section applies to—*

*(a) any decision by a council, the Department or OFMDFM to—*

*(i) grant or refuse planning permission;*

*(ii) grant or refuse any consent, agreement or approval of the council, the Department or OFMDFM required by a condition imposed on a grant of planning permission; or*

*(iii) grant or refuse any approval of the council, the Department or OFMDFM required under a development order;*

*(b) any determination of an appeal under section 58 by the planning appeals commission,*

*where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.*

*(2) Subject to subsection (3), a decision or determination to which this section applies shall not be subject to appeal or liable to be questioned in any court.*

*(3) A person aggrieved by a decision or determination to which this section applies may, within 6 weeks of the decision being taken or the determination being made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—*

*(a) the compatibility of the decision or determination with the Convention rights; or*

(b) *the compatibility of the decision or determination with EU law.*

(4) *The period referred to in subsection (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.*

(5) *In this section—*

*“the Convention rights” has the same meaning as in the Human Rights Act 1998;*

*“EU law” means—*

*(a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and*

*(b) all remedies and procedures provided by or under those Treaties.”.— [Mr Weir.]*

No 28: In clause 20, page 11, line 6, at the beginning insert

*“( ) In Article 72 of the 1991 Order (offence where enforcement notice not complied with), in paragraph (6) after “such an offence” add “or the payment of a fixed penalty under Article 76C(2)(b) in relation to such an offence”.*

*( ) In Article 76A of the 1991 Order (enforcement of conditions), in paragraph (10) after “such an offence” add “or the payment of a fixed penalty under Article 76D(2)(b) in relation to such an offence”.— [Mr Attwood (The Minister of the Environment).]*

No 29: In clause 20, page 13, line 29, at end insert

*“(3) In section 147 of the 2011 Act (offence where enforcement notice not complied with), in subsection (6) after “such an offence” add “or the payment of a fixed penalty under section 153(2)(b) in relation to such an offence”.*

*(4) In section 152 of the 2011 Act (enforcement of conditions), in subsection (10) after “such an offence” add “or the payment of a fixed penalty under section 154(2)(b) in relation to such an offence”.— [Mr Attwood (The Minister of the Environment).]*

No 30: In clause 25, page 16, leave out line 19 and insert

*“6(1) and (1A), 7 to 12, 12AA(1), 13 to 18, 19(1) and (2), 20(1) to (4) and 21 to 24.”.— [Mr Attwood (The Minister of the Environment).]*

No 32: In clause 27, page 16, line 31, before “15” insert “3A(1) to (6), 12A(1),”.— [Mr Boylan.]

No 34: In clause 27, page 16, line 35, at end insert

*“(3) Section 3A(7) to (13) and section 12A(2) come into operation on the day on which Part 3 of the 2011 Act comes into operation.”.— [Mr Boylan.]*

The question for the House today is whether we are going to choose to provide balance in our planning system or further load the dice in favour of developers. The Green Party believes that communities should be an integral part of our planning system. Third-party rights of appeal would provide communities with the same right to challenge planning decisions as is afforded developers. Not only is that fair, but it will lead to better decision-making. It will incentivise developers to engage with communities from the outset, ensuring that communities have a greater say in how their towns, cities and rural areas are developed in future. It will result in more consistent decision-making

because, over time, councils would, through challenge and appeal, learn how better to implement planning policies and regulations when the new powers are devolved.

Third-party rights of appeal would help to maintain the balance of economic and social considerations by putting people at the heart of the planning system. However, it seems that the DUP is so beholden to its developer donors that it has tabled a petition of concern on amendment No 24 to ensure that, even if it is the democratic will of the House to introduce third-party rights of appeal, it will choose to block it, as it has just done to the Ulster Unionist amendment. Let me be clear: this is not even an amendment that introduces third-party rights of appeal. It simply provides for an enabling power to allow the Department to introduce third-party rights of appeal. Even then, it would be able to do so only with the consent of the House. It is a very important amendment, but one that would require further permissions from the Department and the House. So I am disappointed that the DUP has chosen to table a petition of concern on the amendment. Next year, of course, we will come to council elections, and I look forward to debating with my DUP colleagues. They can explain to their constituents why they feel that they do not deserve the right to challenge decisions made about their communities.

Yesterday, unfortunately, in the House of Commons, we had another reading of the Northern Ireland Bill, which seeks to further maintain secrecy around political donations. The issues of political donations and planning cannot be separated, because, with yesterday's amendments and, indeed, with the Planning Bill as a whole, we will give more power to politicians in planning and more power to political parties without knowing how political parties are funded, which developers are funding which parties and which decisions are being made on behalf of communities and which decisions are being made on behalf of developers. That is a fundamental flaw in our system. It is anti-democratic, and, ultimately, it has the prospect of leading to corruption in our system. It is regrettable that we are going forward on that basis and that a number of parties in this House have sought to maintain that secrecy and have sought to deny their voters the opportunity to see how their party is funded. The Green Party publishes all its donations over £500, so that people can see exactly who funds us.

Further to that, the DUP and Sinn Féin seek to deny access to challenge by restricting the scope and, indeed, the timeline for launching judicial review. Challenge is a necessary function of a good democracy and, indeed, a good planning system. If processes are illegal, irrational or improper, there should be the opportunity to challenge those processes through the courts. Amendment No 26 would restrict that right to legal challenge. Again, we see an attempt to speed up planning in a way that, I believe, will ultimately be shown to be unlawful. The right to legal redress is protected under European law in article 13 of the European Convention on Human Rights. Seeking to restrict access to such legal redress is against article 9 of the Aarhus convention, which states:

*“each Party ... shall consider the establishment of appropriate assistance mechanisms to remove or reduce financial and other barriers to access to justice.”*

This amendment will increase barriers to access to justice and, as I said, further restrict the opportunity of challenge to planning decisions.

The Executive and members of Executive parties are failing to learn important lessons that laws, including EU laws, cannot simply be ignored or rode roughshod over. When Sammy Wilson was Environment Minister, he thought that he could ignore area of special scientific interest (ASSI) protections at Lisnaragh and simply allow development to go ahead because he believed it to be of economic importance. That was challenged in court, and it was found to be unlawful. Edwin Poots thought that he could discriminate against trade unions. Again, he was challenged in court and lost. We are only too well aware of the huge costs of ignoring the EU habitats directive in going ahead with the A5. It is another breach of law and another loss for the Executive in the courts. Again, we are not learning the lesson, and amendment No 26 will be another breach of law. I think that it is likely to be challenged, should it be passed today, and I urge the House to learn from the mistakes of the past and not to pass this amendment.

Sometimes it makes sense to get decisions right from the outset. We need more speed, yes, but less haste. The amendments made to the Bill yesterday, and amendment No 26, which is being debated this afternoon, move Northern Ireland to a more deregulated, Texas-style system. With a Texas-style system, you get cowboy planning and cowboy builders, but what else do you expect from cowboy politicians?

I implore the House to do the right thing by our communities and constituents, and by good planning, and to increase access to challenge for objectors by supporting third-party rights of appeal. I implore the House to reject amendment No 26, which, if made, will restrict legal challenge to our planning processes.

**Ms Lo (The Chairperson of the Committee for the Environment):** I shall speak initially on behalf of the Environment Committee, and I will follow that with some comments in a personal capacity.

I will begin with Mr Agnew's amendment No 24, which is on third-party rights of appeal. At Committee Stage, the Department told us that it is not its intention to introduce a third-party right of appeal at this time. The Department went on to say that such appeals could undermine the aim of pre-application community consultation, which is to front-load the system to encourage and facilitate greater community involvement in the planning process. The Committee accepted the Department's position on that and, therefore, does not support amendment No 24.

The Minister tabled number of minor and technical amendments, which are amendment Nos 25, 28, 29 and 30. Those were noted by the Committee at its meeting last Thursday. On amendment No 25, the Department reminded the Committee that proposals for pre-application community consultation contain provision that the Department must refuse to determine an application if the applicant or developer has not complied with the consultation requirements set down by the Department. The Department wants to ensure that, if developers or applicants have not complied with the pre-application community consultation requirements, they cannot then make an appeal to the Planning Appeals Commission

(PAC), in default of a decision, to have the commission determine the application. To facilitate that, the Department needs to amend article 33 of the 1991 order, which allows for an appeal in normal circumstances. The Department noticed that that loophole also exists in the 2011 Act, so it is taking this opportunity to amend section 60 of that Act. Hence, proposed new clause 12AA amends article 33 of the order and section 60 of the Act, and gives effect to that. The Committee had no objection to amendment No 25.

On amendment Nos 28 and 29 to clause 20, the Department told us that it intends to clarify that payment of a fixed-penalty notice as an alternative to court prosecution, while providing immunity from prosecution for that particular offence, will equate to an initial court conviction. Consequently, where offenders do not remedy a breach of planning control that led to enforcement action being taken, they can be prosecuted through the courts for a second or subsequent offence following a preceding conviction or payment of such a notice. The Committee had no objections to those amendments either.

I will now deal with amendment No 26 on the review of certain decisions, which was tabled by Mr Weir and Mr Boylan. As was the case with amendment No 20, I can offer no comment from the Committee on the substance of the amendment. Again, we have not had the opportunity to come to a position on it. The first that the Committee knew of that amendment was at the end of last week. The Committee does not have a position on it, nor does it know the Department's position on it. Given the significance of the amendment, it is disappointing that the Assembly has to consider it today without the benefit of it having been scrutinised by the Committee.

**4.15 pm**

If I may —

**Mr Weir:** Will the Member give way?

**Ms Lo:** Yes

**Mr Weir:** I want to check with the Member because I may have misheard her. Did she refer to amendment No 20?

**Ms Lo:** Yes.

**Mr Weir:** Amendment No 20 has already been voted on. This debate is on the third set of amendments. I was wondering whether the Member misspoke the number.

**Ms Lo:** No, all I said was, "as was the case with amendment No 20, I can offer no —"

**Mr Weir:** I thank the Member for giving way. The Member will appreciate that amendment No 20 has already been voted on, and we are not debating amendment No 20.

**Ms Lo:** I know. I am saying that it is similar to amendment No 20, and that we could not offer any comment on it because it was not given to us prior to —

**Mr Speaker:** I remind Members that amendments that have been debated and have gone through yesterday are gone. I know that Mr Agnew alluded to yesterday's amendments. We are debating the amendments that are on the Floor at this moment in group 3.

**Ms Lo:** Thank you for your guidance, Mr Speaker.

I will move on to speak in a personal capacity about Mr Agnew's amendment on third-party right of appeal. Those Members elected at the time will remember that I tabled a similar amendment to the 2011 Planning Bill. I had hoped that they would be more willing to listen now than they were then. However, a petition of concern from the DUP shows that they are not. I am completely disgusted by the DUP's use of a petition of concern. The amendment will benefit all sections of our community. When I heard that a petition of concern had been lodged by the DUP on this, I really was not shocked, which, in itself, is disappointing. I believe that the petition of concern and other DUP-backed amendments clearly show who pulls the strings for that party.

As a South Belfast MLA since 2007, I have supported countless residents and residents' associations in their objections to planning proposals. Many of them have endured detrimental effects in their residential and conservation areas because of inappropriate development and the cumulative effect of overdevelopment. Just this morning, I met a local councillor and a local resident in Newtownards, and they told me about a proposal that has been passed to build a massive factory — a warehouse — in the Kiltonga conservation area. If people know the area, it is right beside the duck pond. Residents feel so powerless when they see this massive big block being built right at the edge of their favourite local park.

There remains a great sense of anger and frustration that the planning system is always in favour of the developer. Although the developer can appeal against a decision, residents have no such right of appeal. I believe that clauses 2 and 6 of the Bill will also lend more weight to approving applications for planning permission, and, as such, third-party right of appeal is more necessary now than ever. I believe that third-party appeals are a fundamental part of a reformed planning system that is fair and accessible to all, based on principles of equality and genuine engagement — *[Interruption.]* I am sorry. Thank you. I do not know who pushed the microphone away. Do you need me to say all that again, Mr Speaker?

**Some Members:** No. *[Laughter.]*

**Ms Lo:** OK. I am saying that our planning system needs to be fair and accessible to all, and it needs to be based on principles of equality and genuine engagement. We support amendment No 24.

If I was lost for words at amendment No 20, I was gobsmacked by amendment No 26 on judicial review. I have great pride in our democracy, as we all should. To take away the right to take a judicial review against decisions that you view are wrong, to me, seems like we are taking steps towards a dictatorship. I recognise that the amendment leaves provisions to allow for a judicial review to be taken if decisions are against convention rights or are incompatible with EU law, but to seek to restrict the grounds this much is ridiculously extreme and unfair. To do it once again, as with amendment No 24, with no consultation, and sneaking an amendment in at the last minute, shows clearly that the proposers knew that they would face a backlash against it. I also question whether a Planning Bill is the place to address or amend the process of judicial reviews. However, it is possible that the Minister is open to the possibility of this amendment by attempting to restrict the timeline for judicial reviews in the Marine Bill.

This amendment does nothing other than take away the mechanism by which people can challenge government decisions on planning applications. It takes away people's right to say and do something about major planning issues. There are a number of judicial reviews that could not and would not have happened if this amendment had been in place when they were taken. To my mind, this amendment is nothing short of an attack on democracy, and the Alliance Party will not be supporting it. Further to that, I fully believe that the amendment will not stand up to legal challenge. I ask Members to bear that in mind when voting on the Sinn Féin/DUP amendment. Also in this group, we will oppose the technical amendments in the names of Mr Weir and Mr Boylan and support the technical amendments from the Minister.

**Mr Weir:** I will endeavour to speak on the amendments that are before us, although I have to say that I was concerned at some of the remarks that were made by the last two Members who spoke. Both made quite snide remarks in relation to my party. I noted remarks about who was pulling the strings, from the last Member, and I note that the proposer of amendment No 24, despite being warned last night about language in connection with the name of my party, chose to repeat those remarks today. Mr Speaker, I ask you to look at the Hansard report in relation to that.

Yet again it seems that the Chair of the Committee was lost for words on our amendment. I have to praise the Chair, as she was remarkably loquacious for someone who was lost for words. Indeed, she seems to have overcome the shock.

I have defended the right of either Member to place amendments. We have followed normal procedure in relation to that. Unless I have picked it up wrong, it was very noticeable that the Chair was critical of the timing of amendment No 26, but she did not seem to have the same level of castigation for amendment No 24, which was also not discussed by the Committee, or, indeed, any of the 11 amendments that the Alliance Party put down. Similarly, there are double standards from the Member when complaining about petitions of concern, as she has signed petitions of concern in the past on issues that are not cross-community issues.

Turning to the amendments —

**Ms Lo:** Will the Member give way?

**Mr Weir:** I am happy to give way.

**Ms Lo:** No other party has tabled more petitions of concern than the DUP. It is the major party to have tabled petitions of concern. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Weir:** The Member seems to have an exceptionally short memory. Not that long ago, she signed a petition of concern to block an issue that had strong cross-community support. If there are parliamentary procedures, let them be followed. If they are to be criticised, let them be criticised on all sides. Let us not pretend that some Members are angels dancing on the head of a pin.

The Minister may not accept this, but perhaps we should pay belated thanks, as Ms Lo indicated, for the idea for the reduction in timescales, which followed on from the Marine

Bill. To be fair though, I would not be being serious if I was saying that.

As was mentioned, there are two amendments of substance in this group. First, I will deal with the others. The DUP has no problem with those in the Minister's name. They will, to a large extent, stand or fall on the outcome of amendment No 26. Amendment Nos 32 and 34 are consequential and technical, so there is no point in talking about those.

I will not reopen yesterday's discussion, but amendment No 26 is consistent with what we did yesterday, in that the primary purpose of the judicial review amendment is to prevent delay in the planning system, which can result in the loss of investment and fewer opportunities for job creation. Concerns were raised that while we try to sell Northern Ireland and ensure that it is as attractive an option as possible, the planning regime has, at times, been a disincentive, sometimes more in perception than in reality when it comes to the timescales involved. Nevertheless, this is one of the steps that we are taking to send a clear-cut signal that we are open for business. There is at least one analogy with amendment No 24: if made today, amendment No 26 would not alter any judicial reviews. It provides an enabling power in a similar way to amendment No 24. Royal Assent will not have any direct impact on any judicial review. This is designed to look at a small number of potential cases and give the power to the Assembly to look at a reduction in future.

The Minister said yesterday that the number of judicial reviews of planning cases was low, and I accept that. However, judicial reviews of planning cases can be significant in nature and have a significant effect on jobs — one need look no further than at the John Lewis decision in the past few years.

**Mrs D Kelly:** I am grateful to the Member for giving way, but he is talking about an application at Sprucefield, which was well articulated and dealt with thoroughly by the Minister in the Chamber last night. Will the Member please explain how local communities and other interests will be consulted on any of these economically significant zones? Will the Member further explain why his party colleague, the Minister of Finance, refused to sell a small piece of surplus land that is holding up the creation of 400 jobs at Rushmere? *[Interruption.]*

**Mr Speaker:** Order.

**Mr Weir:** With respect, I am not in a position to answer. I suspect that my colleague, who is to my left, may be in a position to answer that question.

I am trying to address the amendments. The Member asked about economically significant zones. There is a danger of some in the House fighting yesterday's battles. I am afraid that you lost that one.

I acknowledge and accept a remark made yesterday by the Minister that the number of judicial reviews of planning cases was relatively small, but the point is that such reviews can have a significant effect.

To that extent, I mentioned that some of this is part of a process to say that the full range of economic tools should be there. Yesterday, I think that Mr Hamilton talked about having another arrow in the quiver. I think that this is of a similar nature. Given the number of judicial reviews, it is, I suspect, an arrow that will be used very infrequently. On

the broader level, it will be used a lot less frequently than it will be for the economically significant planning zones, for example.

#### 4.30 pm

It gives a power to the Assembly. It is narrowly defined, and it is for dealing, if you like, with specific problems and classes of judicial review. As the amendment indicates, the Assembly does not, and is not seeking as part of this, to have the power to in any way restrict the opportunity to take judicial reviews on the basis of EU law or, indeed, convention rights. Therefore, from that point of view, this amendment will not cover most of the situations in which there is a European directive, for instance. That is because, largely speaking, they would be covered by a European law.

It restricts the time frames for those. I think that there is a need to set time limits, and we need to get things moving quickly. If a genuine case can be taken on that basis, it should be put forward.

As with the —

**Mr Allister:** Will the Member give way?

**Mr Weir:** Yes, I will give way.

**Mr Allister:** I take it that the Member concedes that his amendment would remove from the ambit of judicial review any challenge on the basis that a decision is unlawful by reason of its being irrational and thereby contrary to public law. I take it that he does concede that that is a major plank that he is seeking to remove from the platform of judicial review.

**Mr Weir:** No, I do not, because very learned as the Member is — I am sure that we will hear at great length later on his —

**Mr Hamilton:** He would tell you so himself.

**Mr Weir:** Yes, I know. As indicated, the Member is very learned, and there is no greater man to tell us that than the Member himself. This amendment would not affect any judicial review; it would not remove any power of judicial reviews. It would enable the Assembly to bring that forward at future dates. Therefore, it would not restrict. Again, the Member —

**Mr Allister:** Will the Member give way?

**Mr Weir:** No. The Member will have his chance later on. He has got it wrong on this issue. Again, there is a safeguard in this amendment, and if something is brought forward in the future, an affirmative vote by the Assembly would be required for it.

**Mr Givan:** I am grateful to the Member for giving way. Does he agree that nine years of process and delay to deal with the application at Sprucefield for Westfield, which included John Lewis, due to successive judicial reviews that were motivated by nothing other than commercially vested interests, were an abuse of the process and have cost the Northern Ireland economy over £100 million of investment and hundreds of jobs? Does he also agree that, more recently, they were aided and abetted by none other than the Minister of the Environment, who put the nail in the coffin with his submission to the Planning Appeals Commission?

**Mr Weir:** I think that the John Lewis case and the Westfield application is a prime example. The situation with this is, again, partly about sending out a signal. Let us get away from the myth that this is the ordinary citizen walking down the street, who, in other terms, would be referred to as the ordinary person on the Clapham omnibus. This is not an ordinary person seeking a judicial review. This is vested interest; it is commercial interest; they are interest groups seeking judicial review.

Indeed, the key example of John Lewis, which, I think, was initiated by commercial rivals trying to prevent its coming, is a very good case in point. Again, this is something that has also been discussed on a national basis. I believe that it is something that, from that point of view, is lawful, and it clearly sends out a message to vested interests. It sends out a clear message that Northern Ireland is open for business and that we will be working with investment to try to bring that forward.

**Mr B McCrea:** Will the Member give way?

**Mr Weir:** Yesterday, while in full razzle-dazzle flow, the Member had no interest in giving way, certainly not to anybody from my side. To use a phrase from earlier, what is sauce for the goose is sauce for the gander. I am sure that we will hear yet another great policy development later from NI21. The Member will have that opportunity.

Amendment No 24 deals with the other issue of substance, which is third-party appeals. Again, the issue was debated previously with regard to the 2011 Bill. From that point of view, we expressed something which I think has been replicated in this amendment. We saw problems with third-party appeals because, if we are looking to have a streamlined Planning Service that makes good, efficient decisions, we did not find favour with the idea of, potentially, putting that level of delay in at the end and adding an additional layer of uncertainty.

There is also concern that a system of third-party appeals is open to a degree of abuse. Indeed, where it has operated, it has been. We are not keen to replicate that. The case for third-party appeals would be stronger if this was some attempt, simply, to divorce the public from that part of the process. I agree, at least, with one issue that was raised yesterday by the Minister, which is that, obviously, given the amount of attention that is applied to a range of amendments, sometimes, a range of clauses in a Bill can, largely, be ignored and not spoken about. What we sought in the 2011 legislation, which is replicated in this Bill, is that the pre-application community consultation was a much better way to do it. The idea is to front-load that level of consultation in order to ensure that if things are wrong with an application, they are put right at the start.

In my experience, having been involved in many applications — on many occasions, representing residents — the problem is that, by the time that you get to a situation of final determination and a potential appeal, essentially, you simply reach a point, first of all, where either the application is wrong or right and any opportunity for a degree of compromise, discussion or change on either side, or to make amendments, tends to be reduced. Also, from the point of view of the attitudes of both the developer and residents who object, by that stage, you often get into a situation where there are very entrenched viewpoints. I have to say that, quite often, that situation, ultimately, does nobody any good.

The provision of a pre-application community consultation — and let us remember that the bulk of applications will be taken at local-council level and, in that sense, will be accountable on that side of it — or the alternative, as we have mentioned with regard to the other side of it, is that there are opportunities, even in the proposals that we have put forward, either for it to go to appeal, and, indeed, that is facilitated through earlier amendments, or the fact that it would be approved by the Assembly as a whole. We believe that pre-application community consultation is the best way forward.

I make no criticism of the Member for bringing forward a late amendment. He is perfectly entitled to that right. However, in the same way that this was discussed two or three years ago in 2010 and 2011, I believe that a third-party appeal is the wrong way forward, and we are much better to front-load the system with pre-application consultation. My view, and that of my party, remains consistent on that issue. Therefore, we will oppose amendment No 24.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom cúpla focal a rá. Today, we are into round two. I am waiting to hear what the Members to my left will have to say.

In all of the debate and amendments that we have had, I have not heard too much talk about jobs, communities or how to create any employment. That is the essence of the amendments that have been put forward by Mr Weir and I over the past two days. This amendment is about the review process. Each Department has a responsibility for economics and growth. We have a unique opportunity through this process and the planning system to try to facilitate and attract investment and grow the economy. That is what we are trying to do. For the benefit of those who did not get it yesterday, I will try to outline it today.

Yesterday, we spent several hours debating the issues around the amendments to the Planning Bill. During the debate, some Members tried to say that my heart was not in it or that I was not supportive of it, but nothing could be further from the truth. Unlike other Members who seem to like the sound of their own voice and who go on and on and on — I hope that you will try to keep that under control today, Mr Speaker — I was just trying to put forward, as clearly as possible, what the amendments are trying to do. Anybody who has heard or dealt with me in Committee will know that that is what I normally try to do. It is up to the Bill Office and others to write the legislation and decide how the amendments are composed, and we take advice on that.

Yesterday, we heard the line peddled that our amendments did not offer protection on our European commitments. However, as this amendment makes very clear, any judicial review application in respect of decisions made about economically significant planning zones will be limited to those very commitments. Our amendment very clearly states that, where a person is aggrieved by a decision or determination to which the section applies, the grounds for appeal are restricted solely to:

*“(a) the compatibility of the decision or determination with the Convention rights; or*

*(b) the compatibility of the decision or determination with EU law.”*

Furthermore, our amendment spells out that “the Convention rights” has the same meaning as in the Human Rights Act 1998 and that “EU law” means:

*“(a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and*

*(b) all remedies and procedures provided by or under those Treaties.”*

As the proposer of this amendment said, this is an enabling power, and it will come back to the Assembly.

The reality is this: whether we like it or not, we have a bad reputation when it comes to getting planning applications finally approved. That is not solely the responsibility of the Minister of the Environment; it is a legacy of our legal system. We have all seen business rivals lodge appeals to simply block or impede the progress of others.

Our amendments are not about a numbers game. The Minister of the Environment has put on record the number of appeals taken over the past few years. However, he is missing the point that they have damaged our reputation for getting final decisions made. Some of those who wish to invest and create jobs have had very bad experiences of suffering delays or have witnessed what has happened here, and, as a result, they have taken their investment elsewhere. Our amendments are restricted to Ministers taking joint decisions on economically significant planning applications.

The time limit set out in our amendment and the grounds on which appeals can be made will offer everyone — those with genuine concerns and investors — reassurance that good planning decisions will be made in the best interests of all and that the system will not be open to abuse by those who have a vested interest in blocking planning applications.

Last night, the Minister acknowledged that there were issues with the judicial review process, but said that he felt that it was best left to the judiciary to address those issues. I disagree with him. His approach fails to recognise that the judiciary operates within a framework of law. That framework is set out in legislation that is passed by legislators. That is our primary role here in the Assembly, and I do not believe that the people we represent out there, who are crying out for jobs and for the security that decent jobs bring, would thank us if we failed to address what we all know is a real and pressing issue. Our amendment —

**Mrs D Kelly:** Will the Member give way?

**Mr Boylan:** No, I am not giving way. I gave way plenty of times yesterday. I am not giving way.

#### 4.45 pm

Our amendment protects both those with genuine concerns about planning applications and those who will consider investing here — investing in jobs that offer hope to our young people, to people who are struggling to ensure that they can care for their families and to those who want to see us build a prosperous society. I believe that this amendment is an important stepping stone that will allow the Assembly and Executive to deliver on that vision, and I commend this amendment to the Assembly.

I will touch on some of the other amendments. Our party supports the third-party right of appeal. I sat through the whole discussion on the Planning Bill when some Members spoke about front-loading the system, bringing pre-application discussions and allowing communities to get involved in that way. That will be the test of it all. Maybe the Minister would like to respond on how he would like to see that process rolled out; if there are to be reviews or how that would come forward. The other amendments are consequential. With that, I support the amendments in this group.

**Mrs D Kelly:** Mr Boylan talked about there being wishy-washy debate yesterday. Well, his voice was very wishy-washy because I do not think that his heart was in it. There was no real strength or passion to his voice to tell us that he actually believed in the proposals that his party put forward alongside its colleagues in the DUP this afternoon. It is interesting that, in Mr Weir’s contribution, he said that this had been discussed at a national level. One presumes the new coalition of the Conservatives, the Liberal Democrats, Sinn Féin and the DUP is now going to dictate planning powers for the people of the North. I really do not think that that was something that the Irish people voted for in the Good Friday Agreement. Sinn Féin should hang its head in shame for what it is doing here with these amendments.

Anna Lo talked about the petition of concern and the abuse of a petition of concern. Who would have thought that a petition of concern would be used to exclude environmental protection from the Planning Bill? I believe, although perhaps I have been too cynical for too long in politics and in the health service, that the petition of concern is to give their colleagues in Sinn Féin some cover in being able to vote against the DUP. Therefore, they have been able to trail into the Lobbies with the rest of us and it gave them cover. You can just imagine the conversation last night, “Here, boys, wait till I tell you something. We have been very helpful to you all day today, and we need a wee bit of cover here, because a lot of the NGOs and others are calling this the ‘special powers Act’ where people are silenced and have no voice. You need to do something for us tomorrow.” The petition of concern seemed to be the way ahead on that matter. I really am quite convinced that that was the gist of the conversation and the rationale for the petition of concern because there can be no other.

The SDLP supports third-party appeals, and we support the Green Party’s enabling amendment. We also commend the Minister for the proposals he has brought forward in the Bill, which will deal much more effectively with enforcement against those who flout planning laws and, of course, include the potential for a higher ceiling of fines to be enforced by the judiciary. I believe that that ought to be welcomed. I hope that the judiciary will use those powers in good measure, unlike in the past where the derogatory fines, in many instances, have not deterred some developers from very clear flouting of planning law.

Some Members have talked about and seek the cover of delays in the planning system, but, as all Members who have served at local government level and, indeed, at Assembly level will know quite well, a number of the other consultees actually cause the delays in the planning system. We have delays from environmental health officers in making some responses, and we quite often

have delays from the Roads Service and Water Service in making responses. I have not heard any Members say that any of those amendments are to address the other departmental failures in ensuring that the planning system responds much more quickly and in a more timely way to applications.

Unfortunately, Mr Boylan would not take an intervention from me. He again tried to hide behind the excuse of job creation, yet he has failed to give the House one concrete example of a developer looking to come to the North of Ireland to commence a new business, industry or manufacturing base and being denied through the planning system. We do not see queues of foreign direct investors outside Invest NI or the First Minister and deputy First Minister's offices. As the Minister of the Environment said yesterday, this is a further example of how the British Government use the North of Ireland as their playground. We know what happened in the past.

We know from our other nearest neighbours in the South of Ireland about the risks of zoning land for developers. We saw the scandals leading up to the Flood tribunal and similar inquiries. Neither Mr Weir nor Mr Boylan, the Members who tabled the other amendments, has given us any indication of what safeguards there will be to prevent such corruption. Nor have they given us any insight into their thinking on how areas will be selected and zoned. What will be the main objectives when looking at an area of ground? You have only to recall the social investment fund. I served on the Committee for OFMDFM when that was announced. It was only when a member of the Alliance Party, I think, walked past the Long Gallery that he found out that a select audience of community groups from different parts of the North had been invited to hear that announcement. Other MLAs and members of the Committee were not invited. More importantly, not all community and voluntary sector groups were invited. Will we see a similar economically significant planning zones announcement, with only a select audience being invited to the Long Gallery? How will all that be managed? No one has told us any of that.

I see Mr Hamilton coming back into the Chamber. If they are so intent on looking at jobs, why in my constituency of Upper Bann are 400 jobs being put on the back burner at Rushmere? It is because the Department will not agree the sale price of a surplus bit of car park and a bank opposite the civic centre. In case there is any misconception, I am talking about a bank of land, not a bank. Mr Hamilton might jump to their defence by saying that there was a closed-bid tender. As I understand it, the amount bid and the amount that the district valuers put on it did not match. Since then, however, other patches of ground in the constituency have, strangely enough, been sold at more realistic prices that are in keeping with current market value, unlike the land at Rushmere. The argument about job creation does not stack up. It raises more questions than it provides answers.

The amendments take away not only the right of appeal of other interested parties, including communities, but, in the main, powers from local councils. The reorganisation Bill is set to transfer planning to local councils, and there is a delay with that. We have to wonder why. The Minister said earlier in response to a question that the reorganisation Bill had been with the Executive since 8 April. Anna Lo, as the Chair of the —

**Mr Speaker:** Order. The Member will know that I have given her quite a bit of latitude. We have almost gone around the houses. I ask the Member to return to the group 3 amendments.

**Mrs D Kelly:** I was merely pointing out that planning was moving under the reorganisation Bill, yet this Bill has come to the House first with these amendments, which will take that element of planning away from local councils.

It will come as no surprise that our party will support the Minister's amendments and the Green Party's amendment. We continue to have serious concerns about the intent and purpose of the amendments tabled by Sinn Féin and the DUP.

**Mr Kinahan:** I think that everyone when speaking today has the economy and jobs in mind. The debate comes down to where people place the environment, but it is wrong for anyone to imply that the rest of us do not care about jobs. Jobs are the most important things that we can cause to happen in Northern Ireland.

I want to move to amendment No 24, which deals with third-party rights of appeal. This is déjà vu; we discussed it in the last Planning Bill. When we discussed this last time, we felt that it was necessary to protect individuals, communities and the people whom that Bill seemed to be putting at its centre. Yet, when it came to the vote, once again, a petition of concern was placed in front of us and used for the wrong purpose. I remember saying so at the time and that we should challenge the use of petitions of concern.

As a party, we support the rights of third parties to appeal. We have to find a way to ensure that it is not just the big guns, the wealthy and the developers, who have the chance of going to court and that everyone has their chance to challenge. What was the argument against that? It was that it would delay decisions. It will not do that if you put a good time frame on it, make decisions decisively and deal with things properly. So, there is nothing to be afraid of in supporting third-party rights of appeal. The Ulster Unionists will support amendment No 24, and I hope that others will move and realise that people have rights to challenge things.

Amendment No 26 links us to all that was said yesterday. We think that it will shamefully take away the rights of the individual, even more so. Yesterday, I spoke of there being a sham of a deal. What intrigued me was that those who were part of that deal in the two main parties did not challenge us and say that there was no deal. Indeed, they should be experts on the ceiling and the carpets of this Building, because that was where they were looking for most of the debate yesterday.

We heard yesterday — it is very relevant to amendment No 26 — that OFMDFM is completely the wrong place to pass these decisions. We also heard the comment by Peter Robinson — it is also very relevant to today's debate — that he was concerned about creating economic zones, because they just cause displacement. In my patch, Belfast International Airport, instead of competing with foreign countries often finds itself competing with the City Airport. That is the type of displacement that we are talking about. If you place a longer runway at Belfast City Airport, other than creating more noise for all the residents, you are more likely to take away from the International Airport than from anywhere else. I have yet to hear an answer from anyone on how displacement will be dealt with.



The other fundamental matter when it comes to amendment No 26 is the lack of consultation. If we are to fully understand what is being put into amendment No 26, we should have had consultation. That would have allowed the lawyers and all the other people who understand this to really look at all the matters.

**Mrs D Kelly:** I am grateful to the Member for giving way. Perhaps the DUP is very worried about the impact of consultation given its experience with the application for Knock Golf Club.

**Mr Kinahan:** The Member is probably very right that they would be worried about that.

Going back to the subject, we did not consult, so we did not explore all the avenues. We also did not learn what we would have learned in the Committee, which was never presented with the amendments, and by having a chance to discuss the amendments among our parties.

So, it looks like, in the future, we will be able to choose any area of any size, create an economically significant planning zone and do what we like there. If I understand it correctly, under amendment No 26, people will not be able to challenge the creation of a zone unless it happens to be against their human rights or EU law. It is a real shame on both parties that they have agreed this. We will oppose amendment No 26 and support the other amendments.

#### 5.00 pm

**Mr B McCrea:** I am pleased to have the opportunity to discuss some quite important issues. It seems to me that the two substantive amendments that we have to deal with are amendment Nos 24 and 26.

The argument, as I understand it, that was put forward by those who proposed the generality of the Bill is that we need to do something better with our planning regime because it is not fit for purpose and is detrimental to investment and jobs. Indeed, Cathal Boylan was at great pains to say that that is the main reason why he wants to move forward with the issue. I have to say that although I am sympathetic to the idea that we should try to create a better environment for investment, I am not sure that doing away with some fundamental rights encourages anybody. What I know about most investment opportunities is that people are looking for a stable legal framework in which to operate. In fact, I have often heard it said by Invest Northern Ireland that one of the things that we have to offer in Northern Ireland is just that — in comparison with some other investment locations, we have a significant and stable legal framework.

Let us deal with amendment No 24, in the first instance. It has been suggested by Mr Agnew that we should have a third-party right of appeal. Mr Weir, sadly, is not in the Chamber to hear my response, though he indicated that he would like to hear it; never mind. His argument was that this will unnecessarily delay the appropriate decision-making and that maybe we should look at it in a different way, front-load the entire planning process, get the preconsultations out and go that way. It just seems to me that there is a real problem with the denial of justice. Surely, if a thing is wrong, only then will a judicial review succeed. If a thing is wrong, regardless of whether it was well intentioned, citizens should be allowed to challenge decisions. That must be a good thing for all of us.

I am perturbed by the use of a petition of concern in these matters. Time and again, we have talked about whether it is right or wrong to use a petition of concern, but, to be honest with you, if it is a concern, it is a petition of concern. That is the framework that we have. However, is that actually going to bring us to a decision that is right and appropriate and that the people of Northern Ireland will support?

I have a concern about amendment No 24. If I read the mood of the Assembly correctly, for the second time today we will have a situation where the House will vote in a majority for a particular amendment but that amendment will be overturned by a valid petition of concern. To all those Members — or the two of them who are still here — on the Benches opposite who tell us how democratic it can be when you take it back and say, “Let us put this to a vote of the Assembly” the answer is that there are very interesting procedural motions that can be brought in, and things might be dealt with by negative or positive resolution. These are all things that may be important to Members because we may understand the significance of them, but the ordinary man and woman in the street may wonder whether it really matters. The argument that I wish to advance is that it does matter. If we are to have a stable, prosperous Northern Ireland, we need the common good recognised for all. We need to have a system of government where, of course, the Government are entitled to take decisions. If that Government happens to be defined as the Executive or if it becomes, through political development, some form of voluntary coalition between the DUP and Sinn Féin, that is fair enough if it is the democratic result of a vote. However, if you make decisions, surely it is absolutely appropriate for those decisions to be within the law, valid and right. Members should welcome the opportunity to have those decisions reviewed, if necessary, and the opinion of the court will be impartial and binding.

Some on the Benches opposite mentioned John Lewis, which is of particular concern to me and those in my constituency. Just about everybody I talk to asks, “Can we not, please, get John Lewis? Can we do something?”. There is an imperative to go and get investment in any part of Northern Ireland. The challenge is this: why did the judicial reviews fail or, depending on how you look at it, succeed? Why was there a problem? If there is a failure, it has to be addressed. The court review is not the problem; the process in advance of it is.

Hansard will show that Mr Weir argued that many of the delays in that process came about because of vested interests, as if vested interests are somehow less important than non-vested interests. This cannot be right. Surely, if you have an interest — we should all have an interest in such issues — you are entitled to put your case to the court, and it will decide. So I reject the notion that people take frivolous and non-substantiated judicial reviews that they use inappropriately. They are entitled to have their day in court and put their case.

What may be of interest and what I would have welcomed if we were tabling amendments is finding a way of speeding up judicial reviews. Can we find a way of making sure that there are appropriate time limits? I say that not in any way to constrain people in when they can bring action, merely to observe that we often get a delay in response from statutory consultees or we find that people will come

along and say, “You have not considered the EU habitats directive. Will you please go off and have a look at that? “. That may take considerable time, during which, of course, people have to delay, and everybody wonders what is taking so long.

The answer to all of this is a better, more professional approach to planning. In that regard, I looked at the work being carried on by the current Minister of the Environment. I understand that there are some issues with inertia in the system, but surely the real challenge is to get people who are on top of their brief to understand where the logjams are and try to remove them in the proper course of doing business and within the law as it stands.

I will conclude on amendment No 24 by saying that I do not think that the use of a petition of concern is the right way forward. For anybody listening outside the Chamber and trying to understand, this is a fundamental issue. This is where petitions of concern start to overturn the legitimate and expressed will of the House. We have talked about that a lot and about the settled will of the Assembly. The settled will of the Assembly was to agree to a third-party right of appeal. Yet we are using procedural motions — I think that the Chair may have used the language “sleight of hand”, and I am sorry if I am putting words in her mouth — and that just does not seem to be the right way to go about it. If you have an argument, make it and win your case. Build alliances and consensus. Explain in good time what the issues are and come forward with some form of alternative that we can all support. As it stands, we will not support the petition of concern. We support amendment No 24.

I will move to amendment No 26. One of the things that I find really disturbing in the body of the amendment is that proposed article 33A(2) states:

*“Subject to paragraph (3), a decision or determination to which this Article applies shall not be subject to appeal or liable to be questioned in any court.”*

That is a fundamental challenge to our democracy and our legal process. Any decision taken by the Government or public authorities, if inappropriate, wrong or not within the provisions of the law, in any circumstances, should be allowed to be challenged. That is a fundamental right. The idea that you can stipulate where you are allowed to use a JR and where you are not, if taken to its extreme in other situations, would be a real problem. That is why I have to say that amendment No 26 does indeed seem to be deficient on many issues.

Other Members mentioned that this is the sort of process that a totalitarian regime might use. I certainly think that it would be better if the amendment —

**Mrs D Kelly:** Will the Member give way?

**Mr B McCrea:** I will indeed.

**Mrs D Kelly:** I support the Member in his description of the regime that we are about to enter into. As you know, yesterday was a power grab from local councils, but is today not a power grab from local citizens in the refusal to allow them any sense of judicial review or appeal?

**Mr B McCrea:** I thank the Member for her intervention, because I really want to stress this: this is an issue about a challenge to democracy. If the media or the press are listening to this, I say that this is a challenge to free

speech. It is a fundamental issue; it is not trivial. Other people in times gone past actually used the opportunity to take control of a legislature by legitimate means and then used the legitimate means in that legislature to turn democracy on itself. That is what we have to be careful about. There is a quotation that, I think, states that the price of democracy is ever vigilance. There is a danger. I am sure that, when Members reflect on it, they will not go down this route, but you have to be aware that, if you end up with such a situation, it is getting close to fascism. I do not say those words lightly. I warn the House that, if we go down that route on this amendment, on any amendment or on any topic, it is tantamount to a totalitarian state in the fascist mode. That is something that citizens of this country really need to take up and take interest in.

While we are talking about how such a thing would come about, I will say that there are occasions when people with opposing views are not treated with the right tolerance. I have heard that from some people, and I know, Mr Speaker, that you do your best to try to encourage a polite exchange of views. The whole idea of an Assembly like this, with the cameras on us, is that people with different opinions can express those opinions without fear of being shouted down, told that they are not right or any of those things. It has happened in different places. I did not call the Speaker’s attention to it, because, you could say, I am big enough to look after myself, but is it really necessary to use words such as “razzle-dazzle” and all that? Is that the right way to go about making a serious point of discussion? The Speaker is in control of the Chamber, and he, of course, will decide, but, if you really want a proper, informed debate, why not give us the information in advance, in consultation —

**Mrs D Kelly:** Will the Member give way?

**Mr B McCrea:** Just one minute, Mrs Kelly. Would it not be better to give us the information in advance to try to explain what you are trying to do and to try to build consensus rather than just bouncing it through at the last minute and saying, “If you do not vote for this, you are somehow anti-the economy, anti-jobs and anti-the people”. That is not the case. People in the House are for the people of Northern Ireland, but we have a job to do.

**Mrs D Kelly:** I am grateful to the Member for giving way. Will he not go further and say that it was not even the Members in the rest of the House outside their own two parties that they did not give information to? From the weak contributions of both Mr Weir and Mr Boylan, it appears that they have not even been involved in the drafting of the amendments, nor do they understand them. Furthermore, is it not startling that Fracker Flanagan is not here in the Chamber today? He is obviously being silent. He is the only person in the Western World who is opposed to fracking —

**5.15 pm**

**Mr Speaker:** Order. I have reminded the House on several occasions that we should call Members by their proper names. That also goes for parties.

**Mr B McCrea:** Well, having just spoken about the need for good manners and good order in this House, it would be a little awkward for me to say anything other than that it is appropriate for people to put forward their argument in the best manner that they can. They should show some

respect to the House by being able to put that argument with conviction, taking the necessary interventions and trying to explain what they think to colleagues here. It is not necessary, if your argument is strong enough, for you to rubbish individuals or their stance. I am really not having a go at Mrs Kelly when I say that, but surely we can put forward an argument and talk sensibly to one another.

I will conclude by saying that this amendment is a really serious and fundamental challenge to the Belfast/Good Friday Agreement and to the way in which this institution and others were set up. It may have seemed like a good idea and may have been well intentioned in trying to create jobs, speed up the process and put forward the right criteria for investment. I do not doubt that Members in other parties are trying their best to do good things. Surely, however, they can see that this amendment has not provoked the reaction that they wanted and that it is counter-productive.

If we get ourselves into a situation where we have legal challenges or, heaven forbid, judicial reviews or other situations where it is used as a precedent, the DUP and Sinn Féin Members will be sorry that they went with this particular approach. I ask them to think again.

I am grateful for the opportunity to speak. The position of NI21 is clear on this matter; I ask those who are listening to think again. This is a really serious issue, not a trivial matter.

**Mr Dickson:** First, I apologise to the House for not being here for the earlier part of the debate. Interestingly, I was with a visitor to the East Antrim constituency earlier today who takes a great deal of interest in planning matters. In fact, we were looking at proposals for Glenarm harbour and marina and for sensitive development in that area. There are people who take planning matters very seriously.

I want to address the House primarily on the issue of third-party rights of appeal. As a local authority member for over 30 years, I have taken a great deal of interest in the subject. First, however, I will refer the House to the Planning NI website. Under the heading "Who may appeal?", it states:

*"Appeals to the Planning Appeals Commission may only be made by or on behalf of the person who made application for planning permission or other approval. There is currently no 'third party' right of appeal against a planning decision. This means that objectors or other parties who may have an interest in the proposal cannot make an appeal if they are unhappy about the decision."*

I have spent most of my political life in the council dealing with planning applications as a consultee because, as you know, Mr Speaker, we have no planning authority as councillors, but we were, at least, given the ability to be consulted on planning matters. I have championed the issue of third-party right of appeal on behalf of my constituents over all those years.

Interestingly, however, it was not just about the championing of particular planning applications. It was also about a process of trying to encourage other councillors to come on board with that point of view and get them to see the value of third-party rights of appeal. I can proudly say that Carrickfergus Borough Council has, in the past,

unanimously supported third-party rights of appeal. We have also encouraged other councils across Northern Ireland to come to that view as well.

How embarrassing, then, is it for the DUP to have to go back to their councillors, particularly on Carrickfergus Borough Council, to tell them that that which they cherished, which they thought would be of great benefit to their constituents and which they thought would be of good support to the communities that they purport to represent would not continue, would no longer be supported and, in fact, is now thought to be completely and utterly wrong?

The debate about third-party right of appeal is often portrayed as a conflict between large-scale developers and communities or individuals. In fact, most planning applications relate to fairly modest development proposals. Many planning applications are from householders who are proposing nothing more than minor developments in or around their homes. Such a right would give those who consider themselves to be affected by the development the same right of appeal as the applicant. That is often described as a level playing field. I challenge those who are attempting to pull the rug out from under those who wish to have that level playing field to explain themselves. It is to their constituents that they are going to have to explain themselves if this legislation proceeds in the way that has been proposed.

Third-party right of appeal would make the Planning Service accountable for all decisions on planning applications, not just refusals. That would lead to more careful scrutiny of development proposals. It is sometimes argued that the Planning Service is prepared to grant planning permission for a development rather than refuse consent or face possibly lengthy expensive appeals from applicants. If there is a possibility that a proposal could be subject to appeal, irrespective of the decision that is reached, it has been argued that the Planning Service would consider applications more carefully to ensure that it reaches what it believes to be the right and defensible decision. That would also encourage applicants to prepare their development proposals more carefully. We would perhaps have, as the person I met earlier said, fewer carbuncles in our society.

The Planning Service should engage with communities at an early stage about the design, layout and all the consequences of a planning application. It should take the views of local people on board — gosh; that is why I thought I was elected to the Assembly — when drawing up plans that could limit the risk of permission being challenged by third parties.

My call for a third-party right of appeal arises from my concern about planning permission being granted for developments that are out of accord with the local area development plans, and about the quality of the decisions made by the Planning Service. There are interest groups, such as environmental organisations and other local amenity groups, and I pay tribute to those that have worked tirelessly over the years to improve the quality of planning decisions, have challenged the Planning Service where necessary, and taken on developers and pointed out to them that, if they co-operate with community organisations, they have a much higher chance of successfully getting their planning application through and that it will be done with the support of the community, rather than against its will.

This is my great fear with regard to the denial of third-party rights of appeal: it will alienate many people in this community because they cannot be genuinely engaged in a planning application. As I said, that could range from the scale of a major development with a wide-ranging impact, or impact of a very local nature that could nevertheless be of significant concern to local people. Those of us who support third-party rights of appeal are not opposed to the principle of particular developments. Rather, we are opposed to the cumulative effect of development decisions that adversely affect the amenity of an area and deter investment because an area has simply become unattractive.

Others apply the principle of environmental justice, expressing concern that poor areas get more than their fair share of unwanted and poor quality developments, and lack a formal voice to stop that happening. That is a very important area of concern and should be such for the two parties that are proposing to block third-party rights of appeal. It has been and can be clearly demonstrated that communities that do not have a strong voice will not be able to hold back the tide of poor quality planning decisions and poor quality developments and buildings.

It is clear that communities that can articulate their particular points of view can influence developers and planning decisions. We want a level playing field so that everyone can have their say in, and influence over, planning decisions. Third-party rights of appeal, when we get to the appeal stage, are the last resort. What we want is people talking and co-operating. At the end of the day, constituents, residents and communities need to be able to have a say. They need to get to an end point and feel that they have been allowed the opportunity to have a full say in what happens when a planning application comes to the local authority.

I am grateful to an organisation called Scottish Environment Link, which published 10 myths about third-party rights of appeal. I do not intend to bore the House with the detail of all 10 myths. I will simply state that here are 10 myths with very clear and cogent answers as to why that is all that they are — they are myths. The first is that third-party right of appeal:

*“would add significantly to delays in the planning system”.*

No; it would not. Let us look at the proposed amendment to the legislation, which states:

*“subject to such limits as may be specified.”*

It would be for the Minister to determine how the process of third-party right of appeal would be developed. Guidelines would be published, undoubtedly, by the Department. Therefore, controls in respect of delays in applications, whether you have to provide a bond to ultimately produce a third-party right of appeal, whether you have to have a certain number of signatures, whether they have to be limited to a geographical area are all left open to the Minister by regulation and, presumably, by discussion with the Committees to come to a conclusion on. The proposed amendment is very open. It allows the Minister, the House and the Committee to ultimately determine how any third-party right of appeal might be introduced.

The next myth is that third-party right of appeal:

*“would add to the cost of the planning system”.*

No; it would not, if the Minister, the House and the Committee were allowed to put together appropriate rules and guidance.

Another accusation that is thrown at third-party right of appeal is that it is a “meddler’s charter”. It is genuinely about consulting communities. It is about involving the very people who have to work in, live in, drive on and use many of the buildings and constructions that are proposed. Therefore, it is not unreasonable for people to have a say on those planning applications.

There is a myth that third-party right of appeal is:

*“a deterrent to investment in the economy”.*

That is clearly debunked when you look at the GDP of Ireland, Sweden, Australia, New Zealand and all those countries that have third-party right of appeal. It simply does not deter investors from coming into those countries and developing. After all, it could not be much worse than some of the archaic laws that we have at the moment, which slow up the planning process to the point of nothing happening at all.

It is claimed that third-party right of appeal “would undermine local democracy”. No; it would not. It would involve and include local democracy.

Another myth is that third-party right of appeal:

*“would create an unmanageable administrative burden”.*

Do we really think that people will be able to get to the final point of having to introduce their third-party right of appeal but not be able to create a committee, a chairperson and all the things that are required to listen to it? There are plenty of ways in which you can get people involved in the planning decision process long before you have to set up the administration of such an appeal.

There is an accusation that supporters of third-party right of appeal:

*“are unrepresentative of communities, fundamentally opposed to change”.*

That is also untrue. I have been involved with many progressive environmental and other groups, which have been supported by organisations such as Community Technical Aid, that have delivered for communities by proposing quality alternatives to what a developer is proposing and what the Planning Service is prepared to compromise on. If you involve people, you get better decisions.

The next myth, which may have been referred to earlier, is that we should instead pursue:

*“Other improvements in the planning system, such as greater front-end consultation”.*

We know what consultation on planning applications in the Planning Service is like at the moment. If you are lucky, it is a hit-and-miss process of a letter being delivered to half a dozen houses in a street, telling people that 40 houses are going to be built behind them, that trees are going to be removed or whatever the issue happens to be.

It is small detail like that that exercises communities and makes people concerned about planning applications.

### 5.30 pm

Another myth is that third-party rights of appeal:

*“would block social developments, such as schools and hospitals.”*

There is the old Nimby argument — not in my back yard — but people can and do see the bigger picture. If we have clear, articulate and well-developed local development plans and people buy into them, they will see how they can develop further. When the planning application for a specific element of it comes along, people will have already bought into the decision-making process.

The next myth is that third-party rights of appeal:

*“would reinforce an adversarial approach.”*

Perhaps Mr Allister would like the income that he could gain as a planning barrister through supporting those groups. There are ways other than the adversarial approach to deal with third-party rights of appeal. There is arbitration and there are appeal mechanisms that are perhaps not as costly as resorting to the full force of the law when it comes to third-party rights of appeal.

I know that we are in a sense flogging a dead horse in the House on this matter, because the petition of concern will block it. However, it will not stop me continuing to pursue it on behalf of my constituents. I am a passionate believer in the third-party right of appeal, and I believe that the overwhelming number of people in this House would, if they were given a free vote and if they listened to their constituents and councillors, be supportive of third-party rights of appeal. I do not intend to speak at any length on amendment No 26 except to say that I hear the echo of the jackboot.

**Mr Allister:** Yesterday, we witnessed a power smash-and-grab raid with amendment No 20. Today, with amendment No 26, the new tool of tyranny is to gag the citizens. To underscore that, the amendment not only gags the citizens but circumvents the courts to make sure that the opportunities that currently exist to challenge executive authority are neutered. For decades, nay centuries, the courts have played a vital role as a restraint on the abuse of executive power, and that is why the function of judicial review has evolved over many years. However, the obvious effect and purpose of amendment No 26 is to remove from the citizen the right to have recourse to that remedy in the manner that he or she currently has.

Mr Weir sought to excuse all that by telling us that no current judicial review will be affected. One might say, “So what?” Future judicial reviews that may unfold will most certainly be affected in a fundamental way. To have a check and balance on the abuse of unlawful or inappropriate exercise of executive power, judicial review provides a remedy that, if the court can be convinced that that which is being challenged is unlawful by reason of being irrational, or is so unreasonable that no reasonable body could have reached that decision, by virtue of its unlawfulness, it will be overturned. That has been a primary function of judicial review down the years. That predates any rights under any European Convention on Human Rights, because that form of judicial review

existed long before we had the European Convention on Human Rights.

Therefore, if you say that you can still challenge it if your convention rights are suppressed or some EU legislation is not properly acknowledged, again I say: “So what?” What you cannot challenge any longer under this tyrannical proposition is that a proposal that is unlawful by virtue of being irrational cannot be stopped or challenged by the courts.

**Mr Poots:** I thank the Member for giving way. Would the Member accept that, in some instances, the judicial review process has been abused and that, very often, it is one developer using technicalities in law against another developer? I could make reference, for example, to cases where that has happened. We have seen cases being drawn out for many years as a result of that. Instead of this being a developers’ charter, as the Member is suggesting, he wants it to be a lawyers’ charter, where fat cat lawyers can make fortunes out of stopping jobs coming to Northern Ireland. That has been the case in quite a number of instances.

**Mr Allister:** The Minister is the walking embodiment of a little knowledge being a dangerous thing.

If there are problems with judicial reviews or instances of abuse of judicial reviews — and the law, like politics, can be abused; there are instances of that in both — you address the cause of the abuse. You do not liquidate the right. If I recall correctly, the Minister has been judicially reviewed once or twice. His desire is to liquidate the right of judicial review and to say to the citizen: “How dare you challenge what I say? How dare you have recourse to the courts in this land? I am the Minister. What I say is right, because I say it.” That is the arrogance of the attitude that lies behind amendment No 26. That was evident when the First Minister, back on 25 September 2012, was quoted in ‘The Belfast Telegraph’ as saying that he wanted the Executive to investigate how judicial reviews could be limited or avoided. That is a staggering thing to say: that he wants to remove a remedy of centuries of posterity; that he wants to be able to remove the right to challenge the Executive in the courts; that he wants to avoid the possibility of anyone daring to assert that the Executive just might have got something wrong.

**Mr Poots:** I thank the Member once again for giving way. We had a very important vote last night — actually, it was this morning. The potential for that to be judicially reviewed is very clear. We have a situation in which the House has decided that it is not in support of the redefinition of marriage. Will the Member support that being judicially reviewed and those rights? He knows that there is an awful lot of it going on. However, very often it is a lawyers’ charter being paid for by legal aid. In the instance of planning, very often you have one developer using judicial review, not because they are interested in badgers or newts, but because they are interested in ensuring that someone else does not take up a commercial opportunity that might impinge upon their commercial viability.

**Mr Allister:** In fact, I do not think that there is any serious threat from a judicial review on the same-sex marriage issue, but even if there were, what any executive, government or legislature does must be capable of withstanding the scrutiny of the courts. To think otherwise, to say otherwise or to do otherwise is to embrace tyranny

and dictatorship, and that cannot be right. That is why it is frightening that there are Ministers in this House who are so anxious and so eager to ride roughshod over the rule of law. Access to judicial review is part of the rule of law. Make no mistake about that. Sadly, there are those in this House who are doing the bidding of whoever it is who has that ambition. That is a most retrograde step, and one that reflects most adversely on those who take that stance.

I am particularly surprised — well perhaps “surprised” is not the right word, because I am going to talk about Sinn Féin. Sinn Féin has been the champion of running to the courts at every whim for a judicial review. If it gets a coroner’s decision that it does not like, it judicially reviews it. If it gets a Parades Commission decision that it does not like, it judicially reviews it. Yet, here its Members are as co-signatories of amendment No 26 to shut down, as far as planning is concerned, judicial review. These great libertarians who, when it suits them, proclaim that particular outlook are the fellow conspirators with those advancing the developers’ charter to suppress judicial review. Is that, too, not quite surprising?

*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

Let us be very clear, Mr Deputy Speaker. This suppression of judicial review does not relate just to the matter that we discussed yesterday, the matter of planning decisions taken in an economically defined zone. This attack on judicial review applies to every planning decision, whether it is made in a couple of years’ time by a council or made by the Planning Appeals Commission or made by the Department. All of them are now going to be relieved of the threat of judicial review. What is that but an invitation to unchallengeable decisions and, therefore, bad and corrupted decisions? If you have no court to look over your shoulder and to say that that is irrational or unlawful, and if you gag the courts and gag the citizen from going to the courts to say that, what sort of a dictatorship are we creating? What sort of a monster are we seeking to introduce in this legislation? I think that it is quite, quite staggering in that regard.

Let us take an example. Let us root it in amendment No 20 of yesterday. Let us say that OFMDFM, in its all-knowing, unchallengeable wisdom, decides that a particular ASSI — something very close to the heart of the Member for South Down Mr Wells, who is not here at present — should, even though it is an ASSI, become a classified zone, where any class of planning permission that OFMDFM decrees can be given, will be given. As I said yesterday, that is without recourse to issues such as location, siting or design. People are exercised, outraged and beside themselves because of the impact that it will have on them, their environment or where they live.

#### 5.45 pm

There are those in the House who are prepared to say that not only should those people have no third-party right of appeal but that they should have no right of appeal to the courts. So they have no recourse to challenge or say that they want someone to look at this independently from the legal perspective to see whether procedures have been followed. One thing that results from suppressing judicial review is that even the procedures followed cannot be challenged, never mind whether the decision is unlawful because it is irrational.

Are we seriously saying to this and future generations that that is the way that we want to shape our planning law? For years, developers have wanted to shape it in that fashion and very much resented how the courts acted, on occasion, as brakes on them. At every turn, developers pleaded that it was for the economy, and, more often than not, they meant their economy. Now, under this charter gifted to them by their friends, they are to have free rein. I think that that is wrong.

May I say —

**Mr Poots:** Will the Member give way?

**Mr Allister:** Just let me finish this point. Mr Weir said that we need not get excited about this because any decision about what class of area is to be exempted from judicial review will have to be approved by a resolution of the Assembly. Let us tear away the nonsense that covers that statement. Anyone who knows anything about how the House and the Executive work — this is true of amendment Nos 20 and 26 — knows that the Members who sit in the House did not draft any of these amendments. There are Members in the House who will vote for these amendments tonight, as they voted yesterday, without even reading them. Some, even if they read the amendments, would probably not even understand them, if you do not mind my saying so, but they will vote for them because they are told to vote for them.

How were the amendments drafted? Some special adviser, elected by no one, cooked up the idea with his political masters, instructed the draftsmen and then agreed — as part of some other wider package, no doubt — with special advisers on the other side of the House that this was the way that they would go. Then, hapless individuals such as Mr Boylan are sent in to propose them, and so they dutifully do, yet the Benches are empty because there is no appreciation of or enthusiasm for any of it. It is what they have been told to do. So when Mr Weir tells us that we should not be concerned about any of this because anything that happens will require a resolution of this House, again, the question is this: so what?

A resolution will be cooked up by the DUP/Sinn Féin cabal — by their special advisers — presented as a fait accompli and voted dutifully through the House. There is no protection there — none whatsoever.

Mr Poots, if he still wants to, can intervene.

**Mr Poots:** I thank the Member for giving way. I think that the Member is not against economic development; I certainly hope that that is not the case. However, over the past number of years, there has been a series of cases where judicial review has stifled economic development. We just heard today, for example, that legal aid for lawyers has risen again on both fronts. We can talk about fat cat developers, but there are fat cat lawyers. We could throw accusations about who people’s lawyer friends are and who is defending lawyers here today. I am not accusing the Member; I am asking a question. Has he no association whatsoever with any law bodies any more? Has he resigned all that and is, therefore, free to speak without declaring any interest whatsoever in those bodies? Planning and other issues have dragged on and have been held back by judicial process for a very long time. In some instances, I am not sure where the added value has come. So I do not think that the planning system, as it has existed, has been good for opportunities in Northern

Ireland, vis-à-vis the Republic of Ireland and other places where potential opportunities for development have come. However, the Member may view that differently, and I would like to hear whether he does.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. Is it not the case that conflicts of interest are for the Member himself to declare and that no other Member should suggest that there is an issue in this matter?

**Mr Allister:** Without your needing to rule on that, Mr Deputy Speaker, I assure Mr Poots that if I had an interest to declare, I would declare it. Has he any interests to declare? Has his party anything to declare from development donors? Is his party saying to the House that it has no development donors? If so, things must have changed, Mr Deputy Speaker. Is that what he is saying to the House?

**Mr Deputy Speaker:** Order. The Member will resume his seat. I ask the Member to return to the Bill.

**Mr Allister:** Mr Poots, again, cannot get his blinkered view past the fact that there have been judicial reviews that did not turn out the way he wanted them to turn out. Therefore, his answer is to abolish them.

I had an interest to declare from another life. I had many clients, and things did not turn out the way that they wanted them to. They ended up in jail, but they could not abolish the courts. They could not say, "Let's have no more judges, let's have no more juries." No — there is such a thing as the rule of law. I am sorry, Mr Poots, there is such a thing as the rule of law in the check and balance on Executive authority. It is called judicial review, and it affects most gravely those people and their attachment to the fundamentals of our system to the extent that they want to shred and remove it. That is what they will vote for tonight. There is no doubt about that. The Health Minister's erudite contribution is now to say, "Nonsense". However, the Minister's actions will show who is talking nonsense, because the Minister's actions will be to vote to suppress — to remove — judicial review. That, of course, comes from someone who might have declared the interest that he has been the object of successful judicial review applications against him.

In that context, I turn to amendment No 24. In its own right —

**Mr Givan:** He revels in gay adoption.

**Mr Deputy Speaker:** Order, please. The Member will resume his seat.

**Mr Allister:** I could not hear it, Mr Deputy Speaker.

**Mr Deputy Speaker:** I must remind Members that you are not in a position to make remarks across the Chamber. Any contribution that you make will be made through this Chair. Thank you. Continue.

**Mr Allister:** I did not hear the intervention, but I suspect that I am none the poorer for that.

**Mr Givan:** Will the Member give way?

**Mr Allister:** Ah, Mr Givan. *[Laughter.]* Another walking embodiment.

**Mr Givan:** I appreciate the Member giving way. Does he want to explain to the public why, for example, he revels in the outcome of a judicial review of the laws pertaining to

gay adoption? Why does he revel in the outcome of that judicial review?

**Mr Deputy Speaker:** Order, please. Before the Member responds, can we please deal with the issue before the Assembly, which is the Planning Bill?

**Mr Allister:** I revel in no such outcome. The problem that the Member has, and this goes back to the point about a little knowledge being a dangerous thing, is that he seems to think that if you believe in a court system, you are bound into every decision that is made. It is on the other hand: you are bound into respect for the rule of law and the fact that there should be recourse to inspection and oversight of Executive authority.

It has nothing to do with the outcome of judicial reviews, gay adoption or anything else. I disagree with that outcome and hope that the appeal is successful. However, the very fact that you can have a judicial review or that the outcome is not what you like is not a reason for abolishing judicial review. If that is the simplicity and mindset of those who are voting for this, I do wonder what their next proposition will be.

I was turning to amendment No 24. In its own right, I support amendment No 24. I believe in third-party appeals. I believe in them as a matter of equality because the planning process is very much an unequal struggle between the big developers who Mr Poots, before he disappeared, mentioned and the little man, and very often — not always, but very often — the objectors are the little man.

When the big developer does not get his way with the planning authorities on his application, he can appeal to the Planning Appeals Commission. However, the little man — oh no; no appeal for him. It is a fundamental question of equality. That is why I have always believed in third-party appeals. However, in the circumstances of this smash-and-grab raid on powers by OFMDFM, and its handmaiden of tyranny — the suppression of judicial review — I find an abundance of extra reasons to believe in third-party appeals.

You cannot say to someone, "Not only will you not have the right to have a third-party appeal, but you now will not have the right even to challenge the decision by judicial review." So the liquidating of the right to have a judicial review is itself an added reason why, in these circumstances, third-party appeals are more necessary than ever. That is why, tonight, I will support amendment No 24, although steps have been taken to make sure that it will not succeed, and, for the reasons that I have outlined, I will oppose amendment No 26.

#### 6.00 pm

**Mr Attwood (The Minister of the Environment):** I intend to address amendment No 26 to begin with, and to speak on the subsequent amendments later in my contribution. I have been trying to work out what is different about the debate this evening compared with the debate yesterday evening. I have drawn the conclusion that nothing much has changed. The debate is, essentially, still one-way traffic, with all the good arguments about good law, good politics and good government coming from those who oppose amendment No 26; and the weaker arguments, bad politics and bad government coming from those who support amendment No 26. The only difference has been

that Peter Weir, unlike his colleague Simon Hamilton last night, did not even try valiantly to defend what the DUP and Sinn Féin were doing. Contrary to last night, Mr Boylan tried more valiantly to defend what the DUP and Sinn Féin were doing. However, as I hope I will explain to him, he only dug himself into deeper and deeper holes in so doing.

What is going on in this debate around the DUP and Sinn Féin amendments? It seems to me that there are three things going on. First, if it is good enough for the DUP, it is good enough for everyone. That is very much the political culture and the character of government that we now have and which we see expressed in these amendments. Secondly, we see that, if it is good enough for the British Government, it is good enough for the DUP. I will come back to that point shortly. Ultimately, what is going on this evening is that, if it is good enough for the British Government and the DUP, Sinn Féin just has to live with it. That is what this debate has been about.

The revealing moment in this debate, if there was one, was the comment that was made by Peter Weir and picked up by Mrs Kelly. He said that these issues had been discussed at a national level, to use his words. What he meant was that what is going on in the amendments has been discussed with the British Government. Imagine that. These amendments were discussed with the British Government and published jointly by the First Minister and deputy First Minister, the Prime Minister and the Secretary of State for Northern Ireland. They were discussed at a national level and not discussed at a domestic level. Who is running this country when Peter Weir comes into the Chamber and quite casually says that these have been washed through at a national level? What a withering indictment on our democracy and our devolution if we are now subject to the whim, or the will, perhaps, of the British Government, when it comes to what we decide is good for our economy and good for our planning system. It was a very revealing moment. It reminded me a bit of a comment made by Mr Allister in respect of the SpAd Bill. There is always a moment in a debate when everything becomes clearer and the fog lifts, and it was Mr Weir's corroboration of what I claimed last night, which is that this is about much more than what is going on in Northern Ireland; it is about what is required by the London Government.

What does that say about those who signed this document; who put their names to this document a couple of weeks ago; who put their names down next to those of Mr Cameron and Ms Villiers? It says that they agreed with the London Government; not with the Northern Ireland Government; not with the Northern Ireland Assembly; not with the the Environment Committee. They agreed with nobody in this place about what was going to happen in this place.

What a comment about the character of our democracy and the nature of our Government that is expressed in those amendments and confirmed in that document and by Mr Weir's contribution.

I want to deal with the issue of judicial reviews (JRs). It was touched upon in earlier contributions — at least, by one Member. The point was actually a curious one for Mr Allister to make because, in my judgement, he has been — let me put it mildly — overprotective of the use of state power in this part of the world during the past 40 years. Nonetheless, he made the point, a criticism of another party, that it, and people who may have had the same mindset, had used judicial reviews in order to interrogate

public policy. It was quite curious for Mr Allister to criticise a party for using JRs when, in my view, he may have been over-defensive of the actions of the state in many previous years. Put that aside for a moment. The point remains a valid one.

When, a number of weeks ago, I sat down with the First Minister and the deputy First Minister, and they began to talk about those issues of judicial review, I said to them what I have said in the Chamber, and what I will keep saying, which is that the capacity of the citizen, community, business or third party to interrogate public policy by applying for leave for judicial review is one that has served this part of the world particularly well.

When no other remedies were open to a grieving family or citizen, a community felt that state power had been abused or a government would not stand with a citizen, community or organisation, and they were left to no other device, wise judges in this part of the world said, "Let us extend the scope of judicial review". That is what they did. They said that if the state would not account for its actions in a proper way, it must account for its actions through the courts. That is the legacy of JR in this part of the world; that, for 20 or 30 years, people — I have to say that, in particular, it was people from nationalist and republican backgrounds, who, rightly, in my view, saw that there was abuse by the state in respect of their legal and human rights — went to court in order to interrogate public policy and have accountability from the state for what it had done. That served our society well. Some might disagree with that. However, in my view, it began to create the principle of accountability around state power that was driven through the political negotiations and the Good Friday Agreement and should be at the heart of all that we do. Judicial reviews have served us well.

Therefore, there is tension and downright conflict between that and, now, sending out a message to citizens and communities. As I will explain in a second, that amendment sends out the message to citizens and communities first: it does not send it out to developers. Does anyone think for one moment that a developer who has looked after his own interests for so long will not find ways and means to try to interrogate public policy under what might be law on the far side of the DUP/Sinn Féin amendment? Of course, he will. It is the citizen, community or third-party organisation — and, indeed, it is the National Trust — that will be restricted from going for JR. That is the consequence of what the DUP and Sinn Féin propose.

It may be that DUP members can justify that in their own minds. However, how Sinn Féin members can justify that in their own minds after the good use to which JRs have been put over the past 20 or 30 years is something that they have to explain to themselves and their communities. That is the message that Sinn Féin is sending out.

When it came to the use of plastic bullets, shoot to kill, the Diplock courts, inadequate inquests or other examples throughout the past 30 years, JRs have been the friend of the citizen, the community and, most of all, those in pain.

If you do not want to look at the history of the past 20 or 30 years, look at the history of the past 20 or 30 weeks. What JRs are going on at the moment? There are JRs around the Parades Commission, the murder of a solicitor, and so on and so forth, and there will be more before the Twelfth



of July, I presume, given the determinations that may or may not be made by the Parades Commission.

Therefore, let us understand what we are doing here, and let Sinn Féin in particular understand what it is doing here. It is crossing a line that has been jealously guarded, rightly, to protect the citizen and the community from state power. It has crossed that line apparently with its eyes wide open, because the British Government and the DUP dragged it there. That is what has gone on.

The DUP is using this weapon of the amendment as a huge hammer to crack a nut. Last night, I referred to the number of JRs, and that was picked up on in the DUP contributions today. Before touching on that, in the absence of almost all Members of the DUP, I will make this point: what really surprises me about the weakness of the DUP response to today's debate is that I gave it warning yesterday about some of the stuff that I was going to say today. I essentially gave the party warning about what my legal advice was and what my arguments might be on the profile of JRs in the planning system over the past three years compared with the number of applications that have been decided.

**Mr B McCrea:** Will the Minister give way?

**Mr Attwood:** I will in a second.

However, it has been utterly silent. Do you know what that tells me? It tells me that the DUP does not care what the arguments are around this amendment, because it has the will and the power and it will force it over the line. That is what debate in the Chamber has been reduced to. You tell people who are opposed to you what you are going to say, but they do not have the respect or the capacity to respond. In the absence of many of them, they just sit there in embarrassed silence. That is a strange way to conduct debate and democracy.

Does the DUP not have a responsibility to explain itself, given the scale of the amendments that it has visited on the House at this late stage? Does it not have a responsibility under basic democratic standards and principles to explain what it is that it is doing, rather than just impose its will, first on Sinn Féin and subsequently on everyone else? What does it say about the quality of our democracy when the law can be fundamentally rewritten and one person contributes on behalf of the DUP? What sort of democracy is that? To go back to some of the comments that I did not answer last night, what sort of a Government are they?

Let us look at this issue of — sorry, I will give way to Mr McCrea now.

**Mr B McCrea:** I am grateful to the Minister for giving way. He moved on, but I join him in saying this: look at the Benches opposite. For the cameras here: look how empty the Benches are. The Benches —

**Mr Anderson:** We have more than you.

**Mr B McCrea:** Mr Deputy Speaker, I am drawing attention to the fact that I am speaking while on my feet and not from a sedentary position. If the Member wishes to speak, the Minister has challenged the DUP to stand up and be accountable on this issue.

I wish to draw attention to the fact — the Minister has gone through this — that this is a fundamental challenge to democracy, to the Belfast/Good Friday Agreement, to

judicial reviews and to the legal system, yet nobody is here to answer the charge.

I want the people of Northern Ireland to see this. This is not democracy; this is people riding roughshod over democracy and I support the Minister in his stance on this.

**Mr Attwood:** That is twice in two days that the Member has supported the Minister on his stance. I am getting worried now, but I am grateful for that.

#### 6.15 pm

The profile of JRs in the planning system over the past three years is that there were four in 2010-11, 11 in 2011-12 and four in 2012-13. There have been 19 JRs. Around 16,000 decisions were made in 2010-11, 14,500 in 2011-12 and around 13,000 in 2012-13. I passed my maths O level, but as I demonstrated recently in the Chamber, I am not very good at maths. I asked Sean Rogers, who was a school principal, to work out the maths for me, and in year 2010-11, the amount of JRs arising pro rata from the number of decisions was 0.025%; in the subsequent year, it was 0.075%; and in the third year, it was 0.0307%. There were 16,000, 14,500 and 13,000, which is 33,500, planning decisions made and there were 19 JRs around them. Does anyone seriously think that the scale of that justifies the scale of this when it comes to the amendment proposed?

The more curious point is where those JRs came from. We were told by Mr Poots when he was here earlier that we have to deal with these developers. Let me tell you about the developers, although I am not going to name them because others got slightly on the wrong side of things yesterday for so doing. I named them to the First Minister and the deputy First Minister when I met them last Wednesday. I named the four, if there are four, developers who may have had the means to go through the courts in order to interrogate planning decisions for whatever reasons, including, and I have no doubt that this is the case, for commercial self interest.

I said that those people, in my view, are trying to frustrate due process on occasion. They may have had good grounds for taking cases forward on other occasions, but that is not the point. The real point is the profile of those who take JRs. That profile confirms that I have taken one, a council has taken one, green NGOs including the National Trust took one, the developers took four and the rest were taken by citizens in communities who were concerned about what was happening to them. To go back to my earlier point that JRs have been used as a weapon to defend the individual, JRs in the planning system have been used as a weapon to defend the individual and the community much more than by developers.

Turning to the Sinn Féin Benches, we are being told by your colleagues in the DUP that this is all about the developers. No, it is not. This is all about the citizens, the communities and the green NGOs. They are the people who substantially take the JRs. Mr Poots comes into the Chamber and makes an argument about developers and legal costs and the legal aid bill without telling the Chamber that the developers do not get legal aid; it is the citizens and the communities who might get legal aid to take the lead applications for JRs. To come into the House and say that there is some connection between the legal aid bill, JRs and developers is not the case and is not

accurate. I will not go any further than that in case I end up being unparliamentary.

The legal aid bill, whatever it is, helps the citizen and the community who otherwise do not have the wherewithal to take judicial review applications. Let nobody complain otherwise.

I am glad that Mr Hamilton has now joined us, because I made these points to him yesterday during the debate on the amendment about economically significant zones. I read into the record some of my legal advice to explain why I thought that what they were doing was outside European and convention law.

I will now do the exact same and read into the record the legal advice that I have received in respect of this clause and JRs. I do so primarily because of Mr Boylan's assertions, which were — and I will come back to it when I find the note — that the clause was keeping open most of the opportunities for JR for those who might wish to make the application to the court. Let me explain to Mr Boylan, in particular. I will then have some questions to ask him.

Let me outline the legal advice. First of all, it says that:

*“whilst we consider that the restriction of challenge to six weeks is lawful”*

— and I will come back to that point —

*“and compatible with EU law and the European Convention on Human Rights, we do not consider the limitations on the basis of JR challenge are likely to be so compatible. Planning decisions are generally regarded as determinative of civil rights.”*

Then it quotes a number of recent cases:

*“However, judicial review is generally required to secure compliance with article 6 of the European convention since decisions by Government, local or national, are not considered to be independent. That is, not independent of the Executive. PAC decisions may be independent, providing that PAC is the final decision-maker since, unlike the Planning Inspectorate in England or the planning authorities in the North, it is an independent body.”*

These are the questions for Mr Boylan, if he cares to answer them. He did speak from prepared notes; he clearly had some advice about what the clause meant. This is the critical bit:

*“If JR is restricted to EU and ECHR grounds, then we do not consider that this would secure compliance with article 6 of the European Convention on Human Rights, except in a narrow group of cases.”*

This is the critical stuff:

*“JRs on traditional common-law grounds of breach of procedural requirements, failures of consultation, Wednesbury unreasonableness and the like would not be within the narrow grounds permitted, unless they overlapped with a permitted ground. Eg, some grounds relating to natural justice might overlap with article 6 of the European Convention on Human Rights. Even challenges based on ultra vires would be sought to be excluded.”*

What does that legal advice tell us? It tells us that, on four critical bases for JRs, this amendment does not give the citizen and the community the right to go to court. What are those grounds? Procedural requirements, failures of consultation, Wednesbury unreasonableness and ultra vires. What message does that send to the citizens and communities who, for the past 30 years, be it on planning issues or other issues of public policy, have gone to our courts and have been found to be in the right by our courts. Why? Because there was a breach of procedural requirements. Why? Because there was a failure of consultation. Why? Because some public authority acted ultra vires. Why? Because some person or body did not live up under the standards of Wednesbury unreasonableness.

I ask Mr Boylan, who came with some prepared notes, whether he accepts that the amendment proposed by the DUP and Sinn Féin removes from citizens and communities, whatever about developers, the right to seek JR on breach of procedural requirements, failures of consultation, Wednesbury reasonableness, or because a public authority acts ultra vires. Those are fair questions. We have seen the conduct of the DUP this evening. It does not seem to want to engage in the debate. It does not seem to want to answer the questions. Even though it was given advance notice of what I might say today about my legal opinion, it does not seem to have checked it. Maybe it has, and it does not have answers. That may be for it to answer. I ask Sinn Féin to answer those questions, if not now, subsequently. That is the legal advice, and I stand by it.

For those reasons, I say to the House that the content of that amendment is not competent under domestic or European law. Until I am convinced legally that it is otherwise, I will draw that conclusion. In the absence of people being able to share that legal advice and have it interrogated, that is the only conclusion that people have to draw, and those who act otherwise do so with their eyes wide open.

I want to deal with some other issues raised by Mr Boylan. Maybe he or the other parties do not appreciate this, but I can tell you that the SDLP, the party for which I speak, understands it. It goes back to something that I said yesterday about comments made about the CNCC member who spoke to the Committee. The comment was that you demand the right to dissent because there is:

*“much to dissent from.”— [Official Report, This Bound Volume, p250, col 2].*

If it takes a while to explain that in this Chamber or anywhere else, I will defend the right of anybody to take whatever time is necessary to explain it. It really was ungracious for anybody in the House to talk about anybody else in the House. It could be me, Mr Allister or God knows who. It could have been Mr Flanagan, who, in a recent debate on the SpAd Bill, rightly took a long time to explain his party's position on its content. I defended his right to do so and told my colleagues that I thought that he was right to do so. The point is that it is not the sound of your voice but the quality of your argument that is important. Whether it is done short or long, you do not, after the years of democratic struggle to be heard in this part of the world, dismiss it in the way that Mr Boylan chose to do.

The only point raised by any Member was the delay in the decision on John Lewis. Mr Poots is not here, nor is

any of my other predecessors as Environment Minister. However, I have taken decisions in the past two years that I think could have been pushed on in the previous four. There were also decisions that I could have taken earlier over the past couple of years that would have sent out a big message. John Lewis does not tell the tale of planning in Northern Ireland. If they want to tell the tale of big planning decisions in Northern Ireland, there is a weight of evidence to do so. Runkerry is the proof that, after a decade of delay, a decision can be made. I defend the right of the National Trust to go to court, but, for all the reasons that I explained earlier, I welcome the fact that the court found that the decision was lawful on every one of the 21 grounds of challenge. That sends a message to the development community that decisions that have been around for a long time can be taken, that they can be taken lawfully, that they can be challenged and that, on the far side of that, they can be proven to be lawful. The National Trust has to get its head around that. We, as a community and as politicians, also need to get our head around that when explaining where the planning system is now. I will come back to that point in my concluding remarks.

As I explained last night, the advice that I gave on John Lewis was the right advice because of the consequences for so many town centres, not just in greater Belfast but beyond. Secondly, is it not a curious fact that when it came to the advice that I gave to the planning inquiry on John Lewis that, for all the frenzy that arose around it, the applicant did not push on with the appeal? Is it not curious that he did not do that when it appeared that he had so much political support, so much so that it was discussed at length at three or four Executive meetings? What did it say about Westfield that it aborted the planning appeal, even though people were saying that I had given the wrong planning advice? I leave people to draw their own conclusion. My general conclusion is that the decision to favour in-town and edge-of-town retail over out-of-town retail is a strategic decision that we have to address, deploy and get right over the next period.

### 6.30 pm

I will move on, because I am sure that people want me to. I will deal with a number of the other amendments that I have to speak to, and then I will make some very quick concluding remarks.

First, I will deal with amendment No 24, which is about third-party appeals. As Anna Lo and others know and as, I think, I even told the Committee, I believe in third-party appeals. I think that they should be part of the architecture of our planning system. There should be equality of arms, just as the right to a JR should not be restricted in the way that it is. As I said yesterday, there are issues around JRs, but, in my view, those are at the point of application for leave and thereafter. The critical point is during that decision and the management thereafter. That is not me interfering with judicial independence; it is just my observation. If there is something around the very small number of planning appeals, especially if they have come from one or two developers, given that there are a small number from that source, there are ways in which we have to look at it. However, this is the wrong way.

I believe in third-party appeals. Mr Allister made a fair point. Given what we have seen happening in the Chamber in the past 24 hours, it cautions us to build more checks

and balances into the planning system and the operation of public policy. It does not tell me to lessen the checks and balances; it warns me and a lot of other people to build in more checks and balances. That may be what happens over time with the Planning Bill with economic zones, restrictions and JRs. It is not finished yet; let there be no doubt about that. In the next concoction that the DUP comes up with and Sinn Féin goes along with, you will see a junior planning Minister as part of DFP. What Ministry will the DUP always go for? It will always go for the Finance Ministry. That is where we are going next with this. People can draw their own conclusions about whether that is the right or wrong model, and there could be a debate about that.

I agree with the principle of third-party appeals, and I can understand and have great sympathy for why people might think that third-party appeals are more relevant now, given the shape of the law that is getting passed by the Assembly. However, as Anna Lo also said — I think that I explained this to the Committee — a couple of years ago, my judgement was that there were many issues with the planning system that, I felt, I had to deal with in the first instance. The scale of reform and the need for proper decision-making in a speedy manner was more urgent. As officials will confirm, I remember the meeting where, having got the submissions on third-party appeals, I made the judgement call, rightly or wrongly, that, because there were multiple issues in the planning system, I needed to deal with them. For good or ill, that is what I tried to do to make planning better before it is devolved to the councils. I tried to get this Planning Bill through, because it would reconfigure the architecture of planning in advance of devolution to the councils. It was about getting more PDRs out, which is on a massive scale and which is a great economic driver. I say that because the telecommunications and broadband industry will not go for many further planning applications for new masts; it will upgrade the current masts. In doing so, it will be able to expand the telecommunications and broadband network, especially to the areas where coverage is restricted. It was about dealing with article 31 applications and having more challenging timelines for all the other applications and so on. My judgement was that going hard on those issues, for what good it may or may not have produced, was the better strategy.

I also had a wider concern that third-party appeals, when they are in place as they are in the Republic, are the safety net at the end of the process. The processes in the South mean that there is less involvement for communities and citizens in the pre-application period and during the overall consultation process. Therefore, the experience of other jurisdictions suggests that the practice — whether right or wrong — is to limit citizen input in the consultation because they have the protection of a third-party appeal at the end of the decision-making process. Given that we were building into the planning system a pre-application discussion process under this Planning Bill and the Planning Act and given that that was being successfully piloted, certainly in the proposal for the extension to Windsor Park and in respect of Casement Park, my judgement was whether we put on top of the planning a system a mechanism that I thought was right in principle but did so in the wrong way.

I listened closely to Mr Dickson's thoughtful and well-argued speech. It was well crafted and had a lot of content and stuff to challenge you with, but it did not deal with the

fundamental point, which is this: what overall shape of planning system do we need? At the moment, the system is more and more front-loaded rather than one that sees a planning appeal at the back end.

Given that that was my judgement before and that I have to try to make balanced and good law, I advised my Executive colleagues not to support this amendment. I know that parties will think and vote differently. I very much regret that the power of the big can be used to frustrate the will of the many in situations where that is not the proper mechanism, as has been outlined in the debate, but that is where we are.

Amendment No 25 provides for an appeal in default of a planning decision. It is a technical amendment. Proposals for pre-application and community consultation contain provision that the Department must refuse to determine an application if the applicant developer is not compliant with the consultation requirements set down by the Department. The Department wants to ensure that if the developer applicant has not complied with the pre-application community consultation requirement, they cannot circumvent that requirement by appealing to the PAC, in default of a decision, to have the commission determine the application. That is useful because it sends a message to developers that there are new standards and higher thresholds, and, if you do not comply with them, you do not have any short circuit to the PAC. In that way, we send a message to developers who want to hear it. I can tell you that some do not want to hear it. Mr Robinson and Mr McGuinness know who I am talking about. I have told them what the consequences of planning decisions that I have made will be. I am absolutely certain that the consequences will be JRs. In my view, there are people who use the planning system and JRs for the wrong reasons, but those people are not a reason to do what the DUP and Sinn Féin propose. To facilitate what I have talked about, the Department needs to amend article 33 of the 1991 Order, which allows for an appeal in normal circumstances. A similar amendment is made to the 2011 Act to ensure front-loading works effectively. I urge Members to support that amendment.

Amendment Nos 28, 29 and 30 are, again, technical. They do not involve any change in policies. They are intended to clarify a policy that may be applied, and they arose, in part, from comments made by the Environment Committee during Committee Stage and at a stakeholder event hosted by the Committee. These technical amendments clarify that the payment of fixed penalties as an alternative to court prosecution, while providing immunity from prosecution for that particular offence, will equate to an initial court conviction and will not provide ongoing immunity for any subsequent offence. Any offender who pays a fixed penalty should be in no doubt that that is not the end of the matter. I reassure Members that this is not a way of making it easy for the offender; it is a way of ensuring that they do what they had to do in the first place and comply with building control. The technical adjustments for this Planning Bill and the corresponding provisions of sections 153 and 154 of the Planning Act are merely intended to provide clarity in how the policy will be applied.

Amendment No 30 is a technical amendment to facilitate amendments tabled by Members and by me and to allow the repeal of amendments to the 1991 Planning Order and

powers transfer. I urge Members to support amendment Nos 28, 29 and 30.

It would appear that we are being told that a flawed amendment that frustrates the citizen and community and will have virtually no impact on the figures for who may take judicial reviews from the developers' side is the way to send out the message that Northern Ireland society and its planning system are changing. There are multiple ways to send out the message about the Northern Ireland planning system. Some have been sent out over a number of years, including the past two, and there are many more to send out, but that narrative is out there and is gathering pace. That is the way to send out the message about the planning system.

Let us be frank with ourselves. What sends out the message about change in this society? It is that we deal with the unfinished business of agreement politics. That is what will give investors confidence. That will embed in the mind of those who might want to create jobs, both indigenous and through foreign direct investment, that the character of this place is all that it should be, that this is not just the best place to invest but the best place to live and to recreate and that, in doing so, you will be part of an English-speaking community — other languages are spoken as well, but the first language of many will be English — and part of one of the biggest trading blocks in the world, with some of the best-educated people in the world and with a quality of life when it comes to our natural and built heritage that is unsurpassed on these islands. That is what will send out the message to the investment community.

What will complement that is if we deal with the unfinished business of agreement politics. When we do not deal with the issues of the past and the disappeared; do not conclusively deal with the issue of healing and reconciliation; do not deal conclusively with the issues of flags, emblems and symbols; and do not accept the rule of law and the authority of the Parades Commission when it comes to parades determinations — in all their shapes and forms, I have to add — that sends out the message to the investor community about what the character and content of our politics and our society are. That is where we have to apply our minds, not to these spurious amendments, driven by London and the DUP, imposed on Sinn Féin and now being imposed on the House.

**Mr Agnew:** At the outset, to follow on from the Minister's remarks, I will outline clearly that the Green Party intends to support amendment No 24, tabled in my name, and oppose amendment No 26. We will also support the Minister's technical amendments and oppose the technical amendments tabled by Peter Weir and Cathal Boylan, because we see them as augmenting the amendment that we opposed yesterday.

Amendment No 26 has caused some discussion, and rightly so. Seeking to restrict legal redress in that way is regrettable and misguided. If my own instincts are anything to go by and, perhaps more importantly, according to the legal advice received by the Minister, they are not only misguided but potentially not competent. I would certainly argue that that is the case.

It has been consistently argued by those who support amendment No 26 and oppose amendment No 24 that the issue is about delay and achieving faster planning

decisions. I will repeat what I said yesterday: we do need more speed in planning, but amendment No 26 promotes haste. As was pointed out by Basil McCrea, improving planning, improving the professional nature of our planning system, modernising that system and making it more efficient — to give credit to the Minister, he has sought to achieve that while he has been in office — are the ways in which we should speed up planning, not by restricting legal challenge or denying rights of appeal to third parties.

#### 6.45 pm

John Lewis has been used as an example of the evil of judicial review. I think that it was mentioned by Peter Weir and Edwin Poots that the judicial reviews against the John Lewis application were taken by vested interests or rival commercial operators. Mr Poots suggested that they were a lawyers' charter. However, the Minister highlighted the incredibly low number of judicial reviews. I think that in one year it was 0.025%, if I quote him correctly. They are a process of last resort, but bringing a clause into the Bill that states that planners should take regard of economic advantage and disadvantage does exactly what Edwin Poots was concerned that judicial reviews would do: it pits commercial interest against commercial interest and every planning decision at a lower level will be challengeable on this basis even before a decision has been made. We are bringing the divisive nature of competing commercial interests into our planning system lower down and bringing it more to the fore, which is regrettable. As Peter Weir would have it, Northern Ireland is open for business. I would say that it will be wide open for business, and it will be wide open for business challenges because of changes that have already been made.

Cathal Boylan suggested that the motivation behind amendment No 26 was putting jobs and investment first. I would argue that, in denying people a challenge, whether it be through third-party rights of appeal or judicial review, you are saying that people should be subservient to the economy. That is the flawed analysis and flawed economic short-termism that has led us to the point that, when the economy is doing well, people are not necessarily doing well. Ultimately, our aim should be to ensure that people do well in all this. Again, that is why I spoke so much yesterday about the importance of social well-being.

The role of planning is not to grow our economy, particularly when we look at the growth of the economy by using the simple and somewhat flawed measure of GDP. That is not the role of the planning system. The role of the planning system is to ensure sustainable development that is balanced between the needs of communities, the economy and the environment. It is not the role of planning to create growth or fix our economic woes.

Amendment No 26, which is about the restriction of access to judicial review, has been criticised quite strongly by Basil McCrea, who described it as democracy turning on itself. He noted that the price of democracy was vigilance, and he and Mr Allister described the amendment as a move towards a totalitarian system. Indeed, Mr Allister called it a new tool of tyranny to gag the citizens and circumvent the courts. He noted the importance of restraint on the abuse of power and challenged the arrogance of any Government who seek to refuse the right to challenge their decisions. I concur particularly with that final comment.

To err is to be human, and any government is made up of humans. To deny the right to challenge is to suggest that our Ministers are somewhat other than flawed. As Mr Allister and I have pointed out, enough Ministers' decisions have been challenged and overturned by the courts for us to know that our Ministers get things wrong. We should not seek to restrict that challenge. Ultimately, we should seek to get good legislation from this House that fits within wider law.

I now turn to the Green Party amendment on third-party rights of appeal. I liked the Minister's description of it as "equality of arms" — equality between the applicant and the potential objector. The objector may be the community; indeed, as the Minister pointed out, in the case of a judicial review it is more often than not the community rather than well-funded vested interests.

It is unfortunate that, although the clear will of the House is that we should have third-party rights of appeal in our planning system, we will not because of a petition of concern.

I made note of Mr Dickson's speech. There has been some discussion about whether people have had their heart in this debate. Either Mr Dickson has his heart thoroughly in this debate through his speech or he is a fine actor. I suspect that the former is the case. He talked about championing third-party rights of appeal, and I respect and thank him for doing so. He noted that Carrickfergus Borough Council, including its DUP councillors, has unanimously supported third-party rights of appeal. It is important to note that, because many Members will have served on councils. When you have that intimate knowledge of planning applications, the effect that they have and the consternation that they can bring about in local communities when what appear to be bad planning decisions are made, that can only strengthen your resolve to introduce third-party rights of appeal.

Another comment that Mr Dickson made really struck me. He said that poorer areas get poorer developments. There is a lot of truth in that: it is a wide perception, but it is one that I share. In taking power away from communities and moving it elsewhere, whether to OFMDFM or to political parties whose funding sources are unknown, we only exacerbate the problem of poor development in some of our most deprived areas.

I will now deal with the issue of petitions of concern. As Mr McCrea pointed out, we will have two amendments that are supported by the majority of the House blocked by petitions of concern. One of those petitions of concern will prevent the protection of the environment and the other one will prevent third-party rights of appeal, thereby denying citizens and communities extra rights. That is regrettable. The defence that came was, "The DUP can, so it will." That is a fact and that is a flaw in the processes of the House, because it is not a good way to make or, to be more accurate, not make law.

It is time that the issue was looked at, whether by the Committee on Procedures or the Assembly and Executive Review Committee. Ultimately, the Speaker should judge whether a petition of concern meets the criteria that the mechanism was designed for. There is no doubt in my mind that the petition of concern function has been abused on far too many occasions.

Finally, I come back to Mr Weir, who complained about the disparaging remarks that I may have made about his party. I will certainly apologise if I suggested in any way that the DUP is doing anything untoward, corrupt or illegal. If I suggested anything in that regard, I apologise, because I have absolutely no evidence to support it. I do not know who the DUP makes its decisions on behalf of, because I do not know who funds the DUP. To be fair, it is not just the DUP: I do not know who funds the parties in the House. I have particular concerns about those parties that sought to continue the secrecy and lobbied the Government, as they put the Northern Ireland (Miscellaneous Provisions) Bill through its latest stage yesterday, to extend the secrecy of political donations. That has been supported by the DUP, the UUP and the SDLP. It is regrettable that Members of the House have campaigned against transparency and the right of the electorate to see how political parties — *[Interruption.]*

**Mr Deputy Speaker:** Order. The Member will resume his seat. I have picked up remarks from my right that are not parliamentary. If it happens again, I will have to take some kind of action. The Member will continue.

**Mr Agnew:** I am willing to give way to anyone who wishes to come back.

I want to bring my remarks back to the Bill. Whatever amendments we make to planning, whatever processes we put in place and regardless of whether we seek to improve planning as some amendments do — other amendments seek to create bad planning by deregulating it — whatever we do and whatever the views are outside the House about those amendments and our planning system, there will be no confidence in the planning system until we know, as Ms Lo put it, who pulls the strings, how our political parties are funded, and whether decisions are being made on behalf of voters or funders. To those who are concerned about disparaging remarks being made against their parties, I say this: open up your donations, end suspicion, and bring full transparency to political funding in Northern Ireland.

**Mr Deputy Speaker:** I remind Members that, as I have received a valid petition of concern in relation to amendment No 24, the vote will be taken on a cross-community basis.

*Question put, That amendment No 24 be made.*

*The Assembly divided:*

*Ayes 57; Noes 30.*

## AYES

### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

### Unionist

*Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Mr McCallister,*

*Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mr Agnew and Ms Lo.*

## NOES

### Unionist

*Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Anderson and Mr McQuillan.*

<i>Total Votes</i>	<i>87</i>	<i>Total Ayes</i>	<i>57</i>	<i>[65.5%]</i>
<i>Nationalist Votes</i>	<i>36</i>	<i>Nationalist Ayes</i>	<i>36</i>	<i>[100.0%]</i>
<i>Unionist Votes</i>	<i>43</i>	<i>Unionist Ayes</i>	<i>13</i>	<i>[30.2%]</i>
<i>Other Votes</i>	<i>8</i>	<i>Other Ayes</i>	<i>8</i>	<i>[100.0%]</i>

*Question accordingly negatived (cross-community vote).*

*Clauses 11 and 12 ordered to stand part of the Bill.*

### New Clause

*Amendment No 25 proposed: After clause 12 insert*

#### **"Appeal in default of planning decision**

**12AA.**—(1) *In Article 33 of the 1991 Order (appeal in default of planning decision) for "or 25AA" substitute " , 25AA or 25AB".*

*(2) In section 60 of the 2011 Act (appeal against failure to take planning decision) for "or 48" substitute " , 48 or 50".— [Mr Attwood (The Minister of the Environment).]*

*Question, That amendment No 25 be made, put and agreed to.*

*New clause ordered to stand part of the Bill.*

### New Clause

*Amendment No 26 proposed: After clause 12 insert*

#### **"Review of certain decisions**

**12A.**—(1) *After Article 33 of the 1991 Order insert—*

#### **"Review of certain decisions**

**33A.**—(1) *This Article applies to—*

*(a) any decision by the Department or OFMDFM to—*

*(i) grant or refuse planning permission;*

*(ii) grant or refuse any consent, agreement or approval of the Department or OFMDFM required by a condition imposed on a grant of planning permission; or*

*(iii) grant or refuse any approval of the Department or OFMDFM required under a development order;*

*(b) any determination of an appeal under Article 32 by the planning appeals commission,*

where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.

(2) Subject to paragraph (3), a decision or determination to which this Article applies shall not be subject to appeal or liable to be questioned in any court.

(3) A person aggrieved by a decision or determination to which this Article applies may, within 6 weeks of the decision being taken or the determination being made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—

(a) the compatibility of the decision or determination with the Convention rights; or

(b) the compatibility of the decision or determination with EU Law.

(4) The period referred to in paragraph (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.

(5) In this Article—

“the Convention rights” has the same meaning as in the Human Rights Act 1998;

“EU law” means—

(a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and

(b) all remedies and procedures provided by or under those Treaties.”.

(2) After section 60 of the 2011 Act insert—

**“Review of certain decisions**

60A.—(1) This section applies to—

(a) any decision by a council, the Department or OFMDFM to—

(i) grant or refuse planning permission;

(ii) grant or refuse any consent, agreement or approval of the council, the Department or OFMDFM required by a condition imposed on a grant of planning permission; or

(iii) grant or refuse any approval of the council, the Department or OFMDFM required under a development order;

(b) any determination of an appeal under section 58 by the planning appeals commission,

where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.

(2) Subject to subsection (3), a decision or determination to which this section applies shall not be subject to appeal or liable to be questioned in any court.

(3) A person aggrieved by a decision or determination to which this section applies may, within 6 weeks of the decision being taken or the determination being

made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—

(a) the compatibility of the decision or determination with the Convention rights; or

(b) the compatibility of the decision or determination with EU law.

(4) The period referred to in subsection (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.

(5) In this section—

“the Convention rights” has the same meaning as in the Human Rights Act 1998;

“EU law” means—

(a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and

(b) all remedies and procedures provided by or under those Treaties.”.— [Mr Weir.]

Question put, That amendment No 26 be made.

**Mr Deputy Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is agreement that we can dispense with the three minutes and move straight to the Division.

The Assembly divided:

Ayes 54; Noes 33.

**AYES**

Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Boylan and Mr McQuillan.

**NOES**

Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.

Tellers for the Noes: Mr Agnew and Mr Lyttle.

Question accordingly agreed to.

New clause ordered to stand part of the Bill.

Clauses 13 to 16 ordered to stand part of the Bill.

**New Clause**

Amendment No 27 proposed: After clause 16 insert

**“World Heritage Sites**

**16A.**—(1) Before Article 50 of the 1991 Order (Conservation areas) insert—

**“World Heritage Sites**

49A(1) In exercising any powers under this Order in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—

(a) protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and

(b) Preserving the character and appearance of the World Heritage Site or its buffer zone.

(2) In this Article—

“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.

(2) Before section 104 of the 2011 Act (Conservation areas) insert—

**“World Heritage Sites**

103A.—(1) In exercising any powers under this Act in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—

(a) Protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and

(b) Preserving the character and appearance of the World Heritage Site or its buffer zone.

(2) In this Section—

“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.— [Ms Lo.]

Question put.

**Mr Deputy Speaker:** As no Tellers have been appointed for the Ayes, amendment No 27 falls.

Clauses 17 to 19 ordered to stand part of the Bill.

**Clause 20 (Fixed penalties)**

Amendment No 28 made: In page 11, line 6, at the beginning insert

“( ) In Article 72 of the 1991 Order (offence where enforcement notice not complied with), in paragraph

(6) after “such an offence” add “or the payment of a fixed penalty under Article 76C(2)(b) in relation to such an offence”.

( ) In Article 76A of the 1991 Order (enforcement of conditions), in paragraph (10) after “such an offence” add “or the payment of a fixed penalty under Article 76D(2)(b) in relation to such an offence”.— [Mr Attwood (The Minister of the Environment).]

Amendment No 29 made: In page 13, line 29, at end insert

“(3) In section 147 of the 2011 Act (offence where enforcement notice not complied with), in subsection (6) after “such an offence” add “or the payment of a fixed penalty under section 153(2)(b) in relation to such an offence”.

(4) In section 152 of the 2011 Act (enforcement of conditions), in subsection (10) after “such an offence” add “or the payment of a fixed penalty under section 154(2)(b) in relation to such an offence”.— [Mr Attwood (The Minister of the Environment).]

Clause 20, as amended, ordered to stand part of the Bill.

Clauses 21 to 24 ordered to stand part of the Bill.

**Clause 25 (Duration)**

Amendment No 30 made: In page 16, leave out line 19 and insert

“6(1) and (1A), 7 to 12, 12AA(1), 13 to 18, 19(1) and (2), 20(1) to (4) and 21 to 24.”.— [Mr Attwood (The Minister of the Environment).]

Clause 25, as amended, ordered to stand part of the Bill.

Clause 26 ordered to stand part of the Bill.

**Clause 27 (Commencement)**

Amendment No 31 made: In page 16, line 31, after “1” insert “2(1), 6(1),”.— [Mr Attwood (The Minister of the Environment).]

**Mr Deputy Speaker:** Amendment No 32 has already been debated and is consequential to amendment Nos 20 and 26.

Amendment No 32 proposed: In page 16, line 31, before “15” insert “3A(1) to (6), 12A(1),”.— [Mr Boylan.]

Question put, That amendment No 32 be made.

The Assembly divided:

Ayes 54; Noes 33.

**AYES**

Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.



*Tellers for the Ayes: Mr Boylan and Mr McQuillan.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

*Question accordingly agreed to.*

*Amendment No 33 proposed: In page 16, line 33, at end insert*

*“(1A) Sections 2(1) and 6(1) come into operation 4 months after the day on which this Act receives Royal Assent.”— [Mr McCallister.]*

*Question, That amendment No 33 be made, put and negatived.*

**Mr Deputy Speaker:** Amendment No 34 has already been debated and is consequential to amendment Nos 20 and 26.

*Amendment No 34 proposed: In page 16, line 35, at end insert*

*“(3) Section 3A(7) to (13) and section 12A(2) come into operation on the day on which Part 3 of the 2011 Act comes into operation.”— [Mr Boylan.]*

*Question put, That amendment No 34 be made.*

*The Assembly divided:*

*Ayes 54; Noes 33.*

#### **AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Boylan and Mr McQuillan.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

*Question accordingly agreed to.*

*Question put, That the clause, as amended, stand part of the Bill.*

*The Assembly divided:*

*Ayes 54; Noes 32.*

#### **AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Boylan and Mr McQuillan.*

#### **NOES**

*Mr Agnew, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

*Question accordingly agreed to.*

*Clause 27, as amended, ordered to stand part of the Bill.*

*Clause 28 ordered to stand part of the Bill.*

*Long title agreed to.*

**Mr Deputy Speaker:** That concludes the Consideration Stage of the Planning Bill. The Bill stands referred to the Speaker.

8.00 pm

## Committee Business

### Carrier Bags Bill: Extension of Committee Stage

**Ms Lo (The Chairperson of the Committee for the Environment):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 30 November 2013 in relation to the Committee Stage of the Carrier Bags Bill (NIA Bill 20/11-15).*

On Tuesday 11 June 2013, the Assembly referred the Carrier Bags Bill to the Committee for the Environment for scrutiny. The Bill will apply charges to a wider range of carrier bags, including cheaper versions of reusable bags, and will allow the Department to make regulations to increase the amount of the levy charged.

At its meeting on 13 June, the Environment Committee agreed to call for written submissions from interested organisations and individuals. In addition to signposting notices in the local press, stakeholders have been contacted directly, and a number have already indicated their intention to respond to the Committee's request for evidence. The Environment Committee firmly believes that it is essential that all stakeholders are given the opportunity to comment on the Bill, particularly as the call for evidence has been made over the summer months. The Committee is also very much aware that there has not yet been time to gauge the impact on consumers and retailers of the initial charge for carrier bags, which was introduced only a short time ago. Therefore, we cannot afford to rush this through without proper and full scrutiny.

The Committee's public call for evidence does not close until 15 August 2013, and we anticipate a high volume of submissions. After considering these, the Committee plans to invite respondents to take part in a stakeholder event so that members have a wider opportunity to explore the views expressed. The Committee will also wish to bring its concerns to the Department for its response. The Committee believes that it is essential that it is afforded the time to exercise its scrutiny powers to the full, and asks that the House supports the motion to extend the Committee Stage of the Carrier Bags Bill to 30 November 2013.

*Question put and agreed to.*

*Resolved:*

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 30 November 2013 in relation to the Committee Stage of the Carrier Bags Bill (NIA Bill 20/11-15).*

## Private Members' Business

### IF Campaign and G8 Summit 2013

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr McDevitt:** I beg to move

*That this Assembly welcomes the principles, aims and targets set by the IF campaign; condemns the fact that two million children die from malnutrition each year; recognises the opportunity that hosting the G8 summit presents to call on the eight global leaders to honour their responsibilities to developing countries and to tackling climate change and the associated injustices of hunger, dispossession and human rights violations; and calls on the British and Irish Governments to realise their pledge to contribute 0.7% of their national income to international aid.*

I know that it has been a long couple of days' work in the House, and I shall be as brief and succinct as possible. We in the all-party group on international development wanted to bring the motion so that the House would formally have the opportunity to acknowledge not just the event of the G8 meeting at Lough Erne — an event in which we have all been able to take some pride and some opportunity — but the substance of the meeting and the fact that, when the leaders of those very powerful countries come together, they owe a great duty, in fact, arguably the greatest duty, to those in the world who still go to bed hungry.

The IF campaign was led by non-governmental organisations, many of which were faith-based, which were determined to ensure that that summit was the one that would continue to address head on the tragedy of hunger in our world today. They chose to do that by making four simple asks. Those were not, as in previous decades, simply to ask that the developed world be slightly more charitable to the developing world, either through the cancellation of debt or through actual cash support. They were asks about governments, transparency, taxation and the duties that large companies, the developed world and developing countries have to ensure that, when investment does arrive — something that we talk about a lot in the House in the context of our own little region — it arrives in a way that benefits not just the investor but the society that is giving the investor a great opportunity to profit.

I want, very briefly, if it is OK, to read into the record of the House a few words from Jim Clarken, who is the chief executive of Oxfam here in Ireland and a close confidante of the Deputy Chair of the Committee, Mr Wells. Jim wrote an article for the 'Irish Independent' the week before the G8, and I think that his opening paragraph really sums up the poignancy of why a meeting taking place on the shores of Lough Erne to talk about hunger was significant in many ways. He said:

*"On the other side of Lough Erne in Co Fermanagh, in a churchyard dotted with the 400-year-old surnames of Irish, Scottish and English settlers, sits an eerie but distinctive site on the Irish landscape. If G8 leaders do nothing else this month, they should take a ramble*

*from their hotel rooms during their summit and remind themselves of what happens when governments fail. In a pit 120 feet by 14 feet lie the bodies of 200 people, a small fraction of the one million who died during the Irish potato famine of 1845 to 1848."*

Jim goes on to talk about the famine being a political tragedy and the fact that 150 or 160 years later, arguably, we continue to allow the same sort of political tragedy to occur in the developing world. We allow countries that are resource-rich and have more than enough food to feed their own to fall into famine. When the House meets to talk about the G8, sub-Saharan Africa, parts of Asia or parts of South America, it meets with a very rich history of understanding and appreciating that Governments can fail and that resource-rich, food-rich places can somehow or other end up unable to feed their own. What is different today from 160 years ago is that if you want to go out of your way to conspire to deny your people food or to cause accidentally people to be denied their food, you have to be pretty sophisticated about it.

A very interesting figure emerged one evening when we had a load of schoolchildren upstairs debating the G8 — most of the colleagues who are in the House this evening were there. Eithne McNulty, who heads up Trócaire and is another champion of the development cause here at a regional level, Linda McClelland, who heads up War on Want, and the people from Save the Children and Christian Aid were talking to the kids about some of the hard numbers at the heart of our hunger crisis today.

In Africa, \$129 billion a year in tax is embezzled, avoided and evaded — the bottom line is that it is unpaid — by companies that we hold up as paragons of business, of enterprise and of innovation, yet the price of ending hunger in that very same continent is \$33 billion. If the G8 did nothing else but clean up the unacceptable level of tax avoidance and evasion in Africa, it would solve much of the hunger crisis on that continent.

I want the House, even if it is only the committed few, to send out a message tonight that we will continue to challenge the United Kingdom Government, the Republic of Ireland Government — particularly when it is in the presidency of the European Union — and the other global powers to demand not only that democracy live, that accountability exist and that transparency be at the heart of their own societies, economies and democracies but that it be there for the people who need it most — the people who have least.

If they get politics that works, democracies that mean something and economies that have stakeholders, where ordinary people feel as though they can make a future for themselves, we will have done them a fantastic service. We will have given them the opportunity to transform themselves.

Mr Deputy Speaker, I thank my colleagues on the all-party group on international development — the internationalists in the House — for agreeing to the motion. Thank you for calling me to move it.

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. I want to follow on from what —

**Mr Deputy Speaker:** Conall.

**Ms Ruane:** Conall, gabh mo leithscéal; tá mé an-tuirseach anois. I want to follow on from what Conall said. Eight hundred and seventy million people go to sleep hungry every night in our world. That is an awful lot of people. They go to bed hungry because we live in a very unequal world, a world of haves and have-nots, a world in which the economic order is created to favour the interests of elites here in Europe and in North America.

In the 1980s, when I was an aid worker in Nicaragua, I watched as the democratically elected Government brought in policies to create real change for their citizens. They had a literacy campaign that won the UNESCO prize for the best literacy campaign in the world. They had a preventative health campaign that won the World Health Organization gold medal. They tried to provide basic food for every family in their country. It may not sound much, but they ensured that every single family got rice, beans, corn and oil every single week.

What was the response of the then US Administration? It was to impose an economic embargo and fund a right-wing militia and an opposition made up of the wealthy and elite.

In El Salvador, 13 families, known as the oligarchy, controlled millions of pounds; and foreign Governments poured in money.

#### 8.15 pm

In South Africa, the US and British Governments, which should have known better, actively supported apartheid and vicious regimes in which millions of black people had no vote. I was an observer at the first free and fair elections in South Africa, at which Nelson Mandela got elected. I hope that people in the House will join me in sending best wishes to Nelson Mandela who, I read, is in a critical condition as we speak. There were very long election days, and in one area I was in, an elderly woman queued for three days in the hot sun. I went up to her and gave her water. I tried to talk to her, but she did not speak English and I did not speak her language. She just said, in her broken English, "Madiba Mandela".

Last December, I visited Gaza a few days after the indiscriminate bombing by the Israeli Government. I sat with parliamentarians from all over Europe in a new school that had been bombed. The United Nations had built that school. We were told that, to build a school, the United Nations had to supply the Israeli Government with its GPS details. They bombed that school as well a hospital, a house in which an entire family was wiped out, and a football field. Israel is one of the biggest recipients of US Government aid.

I join Conall, as will others in this House, in paying tribute to the aid agencies that do so much work to look at the root causes of poverty and hunger. I worked with Trócaire in 1987 when I returned to Ireland after my years in central America.

I also want to pay tribute to the trades union movement, which organised last week — and I have the programme here — innovative, educational and cultural events to highlight world hunger, the waste of resources on unnecessary and criminal militarisation and the need to spend our resources on ensuring that there is food for everyone in the world, not just for some. I support their key

demands on tax, land, aid and transparency. I love the title they have, "They Are G8 — We Are 7 Billion."

Following on neatly from a point that Conall made, I want to pick up on the issue of land. I come from Mayo originally, which was disproportionately affected by the famine and was the place in which the Land League was founded. The Land League was very powerful and supported the peasants in three areas: fair rent, fixity of tenure and free sale. Those were three very important things, which were brought together by one of my heroes, Michael Davitt. He understood the importance of land and food and that there was food for everyone. I want to see resources spent on health, education, food security, housing and shelter. We have a responsibility to the 870 million people who go to sleep hungry.

**Mr Deputy Speaker:** Will the Member draw her remarks to a close, please?

**Ms Ruane:** Let us do our bit to eradicate that figure.

**Mr Copeland:** This is a very timely debate, given the recent events in Fermanagh, where the G8 gathered and, according to reports, held a very successful summit, proving that Northern Ireland is open for business.

The Ulster Unionist Party fully supports the principles, aims and targets set by the IF campaign and has been most impressed with the dedication and lobbying of all those involved in what is such a vital and worthwhile campaign. It is a disgrace, an embarrassment and an indictment of the international community that each day at least one person in every eight goes to bed hungry despite the world producing more than enough food for everyone to eat.

As set out in the wording of the motion, the G8 presented an opportunity for world leaders to honour their commitments to developing countries and the associated injustices of hunger, dispossession and human rights violations. With that in mind, the Ulster Unionist Party is pleased to welcome the G8 communiqué, which, if implemented appropriately across all the G8 nations, will lead to reforms in tax, land and trade, which could further reduce poverty across the globe.

So, while the Ulster Unionist Party welcomes the commitments, we encourage the G8 to look further into developing these commitments and, if possible, to ensure that there is an end to the scourge of world hunger and the shame of tax avoidance and that the West's commitments to developing nations are truly met.

I, personally, welcome and support the last part of the motion, which calls on the UK and Irish Governments to realise their pledge to commit 0.7% of their national income to international aid. Without doubt, austerity has impacted on much of our society. With the public sector cuts across the board, we must not forget our commitment to those around the world who live in dire poverty that threatens their life every day. As has been said, the United Kingdom was among the first to produce the 0.7% of GDP. The advice of even the highest echelons of the army is that it would be short-sighted and foolish to cut this money. Committing that money to international development is not only the right thing to do but the smart thing to do. I find it incredible that, by 2015, aid from the UK Government will have secured schooling for more people than are educated in the United Kingdom for one fortieth of the cost. It will

help immunise more than 55 million children, young people and adults against preventable diseases, helping to save a child's life every two minutes.

The truth is that, all over the world just as here, people are born, they live, they laugh, they dance, they meet, they fall in love, they have children, and they die. Very shortly, there will be more mobile phones in the world than people. I do not think that this country, any country or the world should be run for the benefit of the corporations. The world must be run for the benefit of the people — not some of the people, but all of the people. I hope that we, through our support for this, will play a small part in making the world a better place for everybody.

**Mr Lyttle:** I welcome the cross-party support for the motion. It is reflective of the cross-community support for international development that we have across Northern Ireland. As a member of the Assembly group on international development, I am delighted to have an opportunity to recognise the creativity and commitment of the many people and organisations who united around the IF Enough Food for Everyone campaign and made sure that hunger and, in particular, the key issues around tax, land, aid and transparent government were put firmly on the agenda of the G8 leaders' summit in Northern Ireland.

I want to recognise the hard work of people like Tim Magowan of Tearfund, organisations like Save the Children, Trócaire, Concern and fantastic artists such as Marie Lacey and the Belfast Community Gospel Choir, Duke Special, Two Door Cinema Club, Beyond Skin and the excellent Harry Hamilton, who supported the IF concert that my Alliance colleagues and I and many other people attended at a very, very wet Botanic Gardens in advance of the G8 summit. That was an excellent occasion and one of the many creative ways in which the IF campaign put these issues firmly on the agenda.

I would also like to recognise the work of my Alliance Party colleague and Member of Parliament for East Belfast, Naomi Long, who has worked closely with the IF campaign and was able to raise the concerns of young people from east Belfast directly with the Prime Minister at Westminster. Naomi has also sought to ensure that the UK Foreign and Commonwealth Office and the Department for International Development help to create land registries that protect farmers against displacement. The Alliance Party will certainly work to ensure that the Government develop that issue even further.

It was the collective creativity and hard work of everyone involved in the IF campaign and indeed many other campaigns around G8 that contributed to the achievement of a set of commitments set out in the Lough Erne declaration. I believe that the noise of many united voices contributed to a historic statement that called for new rules on tax information exchange to be obeyed. That will help developing countries access the information that they need to receive the money to which they are entitled and that will help them achieve more development.

The IF campaign held the UK to its promise to become the first G8 Government to ever spend 0.7% of national income on aid, despite a difficult economic climate. The Lough Erne declaration does not go far enough in confirming specific details of how measures set out in the summit will be delivered, but we have to ensure that the momentum gathered by the IF campaign is not

lost. Progress can be made in these areas as a result of the declaration. It would be a significant step towards addressing hunger and a fantastic legacy of Northern Ireland's contribution to the G8. The G8 communiqué is only the beginning, and a great deal more work will be required to turn the pledges into concrete action. There has been some criticism, and the final agreement could have had more detail. Indeed, the word "should" was mentioned 13 times but the word "will" was not mentioned at all. In my opinion, the detail in the communiqué will help the agenda moving forward.

It is important that we do not lose sight of the challenge before us, but ending global hunger is not as far-fetched as it may sound. One of the world's greatest leaders, Nelson Mandela, reminds us that poverty is man-made and that the solution can be man-made also. John F Kennedy said:

*"we have the means, and we have the capacity to eliminate hunger from the face of the earth in our lifetime. We need only the will."*

The IF campaign and its thousands of supporters proved that the will is there in Northern Ireland, and it is our collective responsibility to continue the campaign to secure action for those who desperately need it most and to sustain our call on the G8 leaders to take the bold steps necessary to build a world free from hunger and full of hope.

**Mr Agnew:** In my teenage years, I had the laudable ambition of going to Africa to work to combat poverty, but I soon realised that, as somebody with a philosophy degree, I would probably have little to offer those people in practical terms. Much as asking people, "You feel hungry, but are you really?" might have seemed a clever question to a philosopher, it would not have offered much help.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

After taking on the principle that I still hope to adopt today of thinking global and acting local, I worked with the local homeless to tackle poverty in my backyard. I then moved on to politics, and I try, in my politics, to keep that philosophy of thinking global and acting local. In everything that we do in the House, the importance of which cannot be denied, there is no issue greater than global hunger that should occupy any of us. Global hunger is exacerbated by climate change, and we can impact that through our policies in Northern Ireland and in our actions as citizens as well as politicians. Aid agencies will tell you that, when you work in developing countries in the global south, it is not a question of if or when climate change happens; the question is about the impact that climate change is having now on many of our poorest communities around the world.

I support the IF campaign message. There is enough food to feed everyone if we seek to end tax evasion and avoidance. We must be willing to tackle climate change and, most importantly and more challengingly, to look beyond our own economic self-interest as a nation and seek to rebalance global economics and end extreme poverty, particularly in the global south. Over 200 aid agencies, human rights organisations and other campaign groups, including trade unions, have been involved with the IF campaign, and many of them do the real work that I would have liked to do. I pay tribute to their campaigning efforts and to all those volunteers and workers who go out and tackle poverty head-on and see the devastation that

our economic policies and way of life sometimes inflict on other parts of the world.

Although there will be some who will say that we are in times of austerity and we have to look after our own, the millions of pounds that our citizens in the UK and Ireland donate to these agencies suggests that that is not the view of the majority. Our citizens will support the call on the UK Government and the Irish Government to contribute 0.7% of their national income to international aid. I welcome that the House will support that call, and I ask the Governments to listen to it and to do it.

### 8.30 pm

**Mr Ford:** I do not intend to detain the House too long at this time of night, but I want to add a few words to what has been said. In proposing the motion, Conall McDevitt referred to the history of this island. I suspect that that history is part of the reason why people throughout Ireland, particularly Northern Ireland in our context, are so generous in their giving to development charities. It is also probably why we have such a high number of people who go on either short-term or long-term service overseas, seeking in some cases to take the gospel or in other cases to take education or their skills as engineers or in the medical field. We should certainly be grateful for that, but we have to recognise that, however good that is, there is a further need beyond the charity and the personal service, and it is around political action. That is why it is such a pleasure to have the opportunity to commend the work that the IF campaign has done over recent times. It has highlighted in such a creative, imaginative and positive way what can be done to feed the world, if we answer the many questions.

Having stood beside Chris Lyttle and got soaked in Botanic Gardens a couple of Saturdays ago, I am happy to join him in saying what a worthwhile exercise it was. It was a wonderful mixture of entertainment and serious hard campaigning in recognition of the facts of the world in which we live. Given the global village that we now are and the communications that we have, including the iPads and whatever that a number of Members have in front of them in the Chamber at the moment, there is no excuse for our people not to be informed. A century and a half ago, it may have been that people in one part of Ireland did not know what was happening in another part of Ireland; we now know exactly what is happening in the world. That has to be part of what reminds us all of our responsibilities as those who are among the top 10% — probably the top 2% or 3% — in income, food security and general welfare.

Unusually for me, I want not only to call on the Governments but to praise David Cameron. We saw in the previous Government some good work that Gordon Brown did on the Jubilee 2000 campaign on the cancellation of debt. That had not to stop there but to be a basis for taking things further. The commitment that David Cameron's Government have given to protect the aid budget at a time when a number of other budgets are being cut is a very positive statement about the role that the UK sees itself having on the world stage and about its responsibilities as one of the key nations in the G8. The fact that the Taoiseach was also in Fermanagh to represent the EU is another positive statement of involvement in a slightly wider sphere not only on a cross-border basis but on the basis of persuading other EU

countries of their responsibilities. Countries such as some of the Scandinavian countries and the Netherlands are committed to going in line with this call to meet the 0.7% of GDP target for Britain and Ireland, and there is no doubt that we should seek to encourage the EU as a whole to go that way.

Four years ago, I had the pleasure of visiting a village in a remote part of Nigeria where people were becoming sick literally because in many cases the river where they got their water was where they also did their washing. Indeed, cars and children were washed beside where people were accessing drinking water. Last year, thanks to aid from this part of the world, a deep well was dug there, which means that many of the people in that village are now able to access clean water. That is the kind of small-scale project that can make a difference, but we also need the kind of points that were highlighted by the IF campaign: transparency; ensuring that taxes are paid fairly; and ensuring that we build trade as well as aid. One of the crucial things about the IF campaign was the way in which that message was put across and got across to the media during the time of the G8.

I may be back in the House next week talking about the rather more mundane issue of what it cost to stage the G8. However, one of the key things for me was the way that the G8 ran because of the creative and positive way in which those highlighting important issues like the IF campaign did their work.

**Mr Deputy Speaker:** Will the Member please draw his remarks to a close?

**Mr Ford:** They got publicity for positive engagement, and it was the kind of positive engagement that we must continue to encourage our two Governments to continue.

**Mr Wells:** I thank all those who took part in this important debate. I suspect that the only lighter moment in all this was the advice given by one protest group on the mainland of the United Kingdom. Advising protesters on how to get to the Lough Erne hotel, they said, "Take the ferry to Belfast and then the train to Enniskillen". *[Laughter.]* I am afraid that, unless they did that in about 1964, I do not think that there was any prospect of a train to Enniskillen.

**Mrs Foster:** Nineteen fifty-seven.

**Mr Wells:** The year I was born.

Everyone is very pleased at how successful the G8 was, how smoothly it went and the lack of any form of significant disruption or protest. It reflected well on Northern Ireland that that happened. We welcome the various discussions at the G8 on international development. Conall McDevitt outlined the main purpose of the IF campaign and who was supporting it. He reminded us that even County Fermanagh, 160 years ago, suffered deprivation very similar to what is occurring in most of sub-Saharan Africa. He indicated that a mere £30 billion — it sounds a lot but, in the overall scheme of things, is not — would solve the poverty problem in Africa.

Caitríona Ruane spoke about her experiences in Nicaragua and mentioned the importance of the literacy campaign and the provision of food for all in that small central American country. It showed what could be done if government is really pledged to alleviating poverty.

Michael Copeland, on behalf of the Ulster Unionist Party, said that they were enthusiastic supporters of the IF campaign and decried the fact that one in eight people goes to bed hungry every night, which is a terrible indictment of our society. He praised the fact that the United Kingdom had reached the target of 0.7% of GDP. It is worth pointing out that the Irish Republic has come closer to and may, in fact, have met that target. However, unfortunately, because of the significant decline in the Irish Republic's GDP the 0.7% does not represent as much as it used to; in the boom days, it was a far more significant amount of money.

That 0.7% is a very reasonable target. It still means that the Western World and North America have 99.3% of GDP to look after their own needs. So therefore, though it is a very realistic target, it is not overly generous. However, it is significant that, even in difficult and trying economic times, that target has been met. That is to be applauded. I noticed that several Members said that David Cameron, our Prime Minister, was to be congratulated on that, and I would have to say also that Enda Kenny and his predecessors in the Republic made that a priority.

Chris Lyttle, who, like many others, sat through that concert in the rain, felt that it had been a very worthwhile effort, and, certainly, all the artists gave their services, I understand, free of charge. It was a very important way of allowing young people to express their support for the IF campaign and to raise issues of concern about international development in a very peaceful and non-threatening way. There certainly was no trouble at that concert, and it was a testament to the organisers, particularly to my friend Jim Clarkin and all those in the international development agencies who were so active in its organisation. Chris praised the work of Naomi Long at Westminster in raising the profile of international development. He said that the G8 communiqué did not go far enough and that the content was shrouded in words like "may" or "should" rather than "will". We accept that the document could have gone an awful lot further.

Steven Agnew mentioned the fact that climate change is not a matter of "if" — it is happening now, it is with us, and, if we do not deal with it, it will cause tremendous destitution to many communities throughout the world. He also praised the active involvement of the 200 agencies involved in the IF campaign. It was a remarkable piece of organisation to get all those disparate groups together to organise such an effective campaign.

David Ford indicated how generous the people of both Northern Ireland and the Irish Republic were in supporting international development. Indeed, I had very practical experience of that recently. The First Minister, Mr McDevitt and I attended a fundraising event for Fields of Life at La Mon Hotel a few weeks ago and, in one evening, £80,000 was raised for work in Uganda. I think that that is extraordinary in the present economic conditions. Between them, 500 people raised an amazing total, so congratulations to them. Obviously, the First Minister must have put in a very generous cheque that evening. That shows just how committed Northern Ireland people are to this. We saw the huge support that there was for fundraising efforts for the tsunami disaster eight years ago. Northern Ireland people can take some self-praise for what we have achieved. It is something that we do well as a

community, and we know that a large number of people in the Province are committed to it.

In August, I had the privilege of going to Tanzania with Jim Clarken and Oxfam to see its work at first hand. There was one rather amusing incident. I went with Pat Breen, who is Chairman of the Oireachtas Committee on Foreign Affairs and Trade in the Dáil. He was representing the Dáil and I was representing the all-party group here in Northern Ireland. One day, the photographer arrived, took my picture and asked for my details. The following day in the Tanzanian press, I was shown as "Jim Wells, Chairman of the Oireachtas Foreign Affairs Committee", which I certainly am not. I can assure you, Mr Deputy Speaker, that I hope that I never have to stand for that position. I do not know how they described Mr Pat Breen, but we all had a laugh when we saw that in the paper, which had clearly got its facts mixed up.

Much more seriously, in Tanzania we saw a community that can feed itself, but that will go absolutely nowhere in terms of international development until it deals with the fundamental issue of how it treats women. In Tanzania, women are treated as mere chattels. We met chieftains who said that they had 35 cows, which entitled them to one wife. Some were up to 69 cows and they were hopeful that they would get a second wife the next week. Their ultimate aim was to have a third wife. The purpose of the wife was to tend the cattle and to produce children to help with the farming activities. What was even more sinister was that we learnt of men who, when a female child was born, went round the huts and booked that child for marriage in 12 years. It is absolutely appalling that that female child's life is determined from the day she is born to be yet another wife to a leading herdsman in the tribe.

Women in Tanzania have no chance of education beyond the age of 13. Those who do are remarkable women: they are incredibly powerful, active and well educated, and they are leaders in the community. Unfortunately, very few of them get the chance to get past education at 13 because, by that stage, they are expected to be either betrothed to be married, or married off already in a polygamous marriage. Tanzania knows that, and it knows that it is going to get absolutely nowhere until it deals with that problem, which is fundamental.

The problem in Tanzania is not food, per se; the problem is that 51% of the population live wretched lives. It is a structural issue. We know that we have the solution to those problems. The first solution is that we have to stop land grabs. We saw huge parts of Tanzania that had been grabbed by multinational companies for game ranching where the native farmers had been driven off.

Secondly, we have to deal with the issue of encouraging all western societies to reach the 0.7% development assistance target. Thirdly, we have to have some form of sensible taxation system in the global economy. It is appalling that Apple has cash reserves of \$120 billion that it has built up by using very clever means to avoid taxation anywhere it operates in the world. We have all read recently of Starbucks and other companies, including Google, that manage, by very subtle sleights of hand, to send vast amounts of taxable income offshore. Apple must be selling a phenomenal number of computers in Dublin, because all the receipts go through one office where there is much reduced taxation. Those clever ploys are being used throughout the world. Starbucks has a licensing

agreement with Luxembourg. It makes a token loss in the United Kingdom because it pays a huge sum through a Luxembourg-based company for the use of its rights.

#### 8.45 pm

If all those companies throughout the world paid their fair share of taxation, particularly in African countries, that would go a long way to provide the much-needed income for development in those countries. Huge amounts of money are sloshing around the world economy from one tax haven to another and not being used to sustain indigenous communities.

We have the solution but are a long way from it. The G8 was a step in the right direction. I am glad that it found time, among so many other issues, to deal with this important matter. I am hopeful that we are getting there. I congratulate everyone in the IF campaign.

**Mr Deputy Speaker:** Will the Member draw his remarks to a close?

**Mr Wells:** It was timely and successful, and well done to all those involved in bringing so many together to hit the target as far as this important issue is concerned.

*Question put and agreed to.*

*Resolved:*

*That this Assembly welcomes the principles, aims and targets set by the IF campaign; condemns the fact that two million children die from malnutrition each year; recognises the opportunity that hosting the G8 summit presents to call on the eight global leaders to honour their responsibilities to developing countries and to tackling climate change and the associated injustices of hunger, dispossession and human rights violations; and calls on the British and Irish Governments to realise their pledge to contribute 0.7% of their national income to international aid.*

*Motion made:*

*That the Assembly do now adjourn. —  
[Mr Deputy Speaker.]*

## Adjournment

### Economic Development: Down District

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes, the Minister will have 10 minutes to respond and all other Members who are called to speak will have approximately six minutes.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Members who have stayed behind to participate in the debate and, indeed, the Minister. I am grateful to her for taking the time to respond to the debate. Members will be glad to know that I got rid of a few pages from my speech and will certainly not need anywhere near those 15 minutes.

As with any debate of this nature, some of the issues that I will cover undoubtedly fall outside the remit of Minister Foster and her Department. However, I am sure that there is an Executive colleague of others, such as the Minister for Regional Development, who I may touch on, so permit me latitude to set an appropriate context to our discussion.

In recent months, 'The Down Recorder' ran a special feature on what could only be described as the abject failure of local government and associated organisations to build economic prosperity in Down district over the past 20 years. The editorial synopsis was forthright and, to a large extent, long overdue. With the people of Down district bearing the brunt of that failure, the image of another generation of young people maturing under that blanket of economic woe undoubtedly struck a chord with not just the local business community but with the vast majority of local people who are fed up languishing in Down district while watching neighbouring areas progress at what they feel is their expense.

Figures in the local media last week suggested that at 22% below the North's average, Down district average incomes ranked with Strabane and Limavady as the weakest of all local districts in the North. The example of neighbouring Newry and Mourne district was held up as proof that great economic improvements could be implemented with the right leadership and vision, with more than 1,200 foreign investment jobs promoted with the help of Invest NI (INI) in the past five years alone.

We in Down district have had to make do with a meagre 15 foreign investment jobs in five years — a paltry return, no doubt everybody will agree. It is a depressing situation, hammered home by the sight of nearly 4,000 cars leaving the district every morning taking people to work in Belfast. Down district remains the highest commuting district in the North, and with fuel prices going through the roof, the people of Down district know only too well the financial impact of such an inglorious title.

To many, the solution to those failings is an increased relocation of public sector employment. Given the great buzz that emanated from the recent decision to relocate the Department of Agriculture and Rural Development's (DARD) fisheries division to the district, perhaps there is some merit to that argument. Despite the objection

by many observers that the decentralisation of public sector jobs to the district is lazy and short-sighted, we must recognise the demographics and dynamics of local employment trends in the district.

A recent Oxford Economics report highlighted the fact that one third of workplace employee jobs in Down district were in the public sector, making the Down economy much more dependent on the public sector than all other surrounding council areas. A further 1,000 indirect jobs are estimated to be sustained locally by that public sector employment. However, a high concentration of public sector jobs in the Downpatrick area meant that the town and adjacent area were most negatively impacted by recent public sector job losses and relocations out of the area over the past decade or so. That negative impact has been felt in direct job losses as well as indirect and induced impacts on sectors from which the public sector procures goods and services.

Without doubt, a sustained and planned relocation of public sector jobs to Downpatrick would achieve a large net impact and could play a huge role in improving economic prosperity for all in Down. With that in mind, I wrote to each Department this week to ascertain what plans it might have to decentralise services and jobs to the area. No doubt it will be very interesting to see what plans are in the pipeline.

In the light of such potential opportunities, I also welcome the establishment of a public sector jobs task force in the Down district area. It has dovetailed well with the local business community and local representatives. This Thursday, I will be hosting the launch of its brochure inviting the decentralisation of public sector employment to the district, as we continue to strengthen that vital aspect of local employment.

However, it is important to stress that, although important, the relocation of public sector employment must not be viewed as the silver bullet to our economic situation in Down district. Compared with surrounding districts, the private sector in Down created relatively few private sector jobs during the past two decades. Indeed, the baseline outlook for Down's private sector has weakened considerably over recent years, and, worryingly, if Down were to lose a significant number of public sector jobs, there does not appear to be any major private sector investment in the pipeline to cushion any blow to the local economy.

Without doubt, we, like most districts across the North, seriously need to strive to grow our private sector economy across the district. It is a scenario that will face all aspects of government in the years ahead. Indeed, the ambitious targets inherent in the Programme for Government commitments, such as the creation of 25,000 jobs, the capture of £375 million worth of foreign investment and the desire to increase tourism revenue to £700 million, suggests that if the appropriate framework and support is established, Down district can be well placed to take advantage of such opportunities.

In that regard, it is worth noting that Invest NI has a total of 112 acres of landholding in the Down district area, 50 of which are available for immediate development on the Clough road on the outskirts of Downpatrick. All that land is apparently held in support of economic development, and we are told that it is proactively marketed to foreign



and indigenous investors. Without doubt, the Department of Enterprise, Trade and Investment (DETI) and local government have a huge amount of work to do in order to utilise such holdings, and I will be interested to hear from the Minister tonight of any plans that may be in the pipeline for that sort of thing.

Invest NI is sometimes held up as an easy target. We must praise an organisation when it does well, and, recently, Invest NI has improved massively. It has great potential for helping growth in areas such as Down district, so this should not in any way be seen as any sort of veiled attack on Invest NI.

Furthermore, the development of the Downpatrick Business Centre has stalled in recent years, as Invest NI has been unable to fill a number of its units. Analysis indicates that the present policy dictating that the units must be used for manufacturing business models is limiting the appetite in the park. It is with that in mind that Sinn Féin has called for the policy to be amended to allow for small and medium-sized enterprises (SMEs) to trade in the park and for Invest NI to promote the area in that regard through a new marketing strategy and a relaunch of the facility's potential.

However, while discussing the challenges facing us in attracting investment into the district, and, indeed, the potential for the continued relocation of public sector employment, we must recognise the single biggest hurdle — the poor transport and connectivity features of the area.

When the Bain review announced its agenda for action in 2008, it identified transport and connectivity as the major constraining factors in any future expansion of public and private sector employment. Once again, the extent of such constraints was revealed last week, when the Minister for Regional Development, Danny Kennedy, confirmed to me that Down district received a mere 2% of all capital investment in road infrastructure in the past five years. When you bear in mind the very dispersed, rural nature of the area and the urgent need to upgrade various main routes, it beggars belief that we in the district of Down receive such a low figure. Priority projects, such as the Ballynahinch bypass and the upgrade of the Belfast to Downpatrick and Downpatrick to Newry roads have clearly fallen off the agenda in Roads Service.

How are we going to grow local business opportunities if we continue to receive such meagre assistance from central government? Down district requires serious investment to improve its roads infrastructure and transport connectivity. For too long, we have been the poor relations, and despite rejections to the contrary, the statistics tell the story.

It is clear that a failed political culture of complacency and a stagnant satisfaction with the status quo has not served the people of Down well over the past 30 years. It is high time that we gave our young people hope for the future and an economically prosperous future at home in Down district.

**Mr Wells:** I concur with much of what Mr Hazzard said. Down district has many attributes; it has many things going for it. Unfortunately, structurally, it has significant economic problems. First, it has an excellent education system. It has schools such as Down High School and St Patrick's Grammar School, and, more recently, the colleges of further education. We are very fortunate in Down district.

We now have three brand new, state-of-the-art colleges of further education in Ballynahinch, Newcastle and Downpatrick. I have been round all of them. They are doing excellent work to train young people for future employment possibilities. The area has an excellent tourism product.

The fundamental problem with Down district, however, is that the vast majority of people who live there are not employed in the area. In order to see that shown graphically, one just has to stand in the main street of either Ballynahinch or Saintfield on any weekday morning and see the vast number of people leaving Down district to work in the greater Belfast and Lisburn areas. We really need to try to redress that balance.

It reminds me of Newry and Mourne, when I was first elected to this House in 1982 and when Newry was part of my constituency. At that stage, Newry was the ultimate basket case. After Strabane, it had the second-highest unemployment rate in western Europe. The sagebrush was almost blowing down the middle of Hill Street. People despaired. Then, what happened to Newry? Three or four home-grown entrepreneurs from Newry came on board and, basically, pulled that town — or city as it is now — by the bootstraps. People of the calibre of Eddie Haughey, Gerard O'Hare, Feargal McCormack and Gordon Coulter arrived on the scene. They built up manufacturing companies, some of which have survived very well even to this day. I realise that Coulter Construction has faced terrible times as a result of the recession. However, Norbrook Laboratories has come through the recession practically unscathed, although with great difficulties. It now employs well over 12,000 people. Gerard O'Hare invested money in Newry when no one else would touch it. He built the Quays Shopping Centre, which has been a great success.

So, we found local entrepreneurs, who came along and were given support by LEDU and IDB, as they were — more recently, INI. Companies were nurtured with considerable success. What we need to do in Down district is to identify the Eddie Haugheys and Gerard O'Hares. We need to find people who, if they are given a little bit of support from organisations such as Invest Northern Ireland, could take the opportunities that are clearly there to develop those communities. Unfortunately, at present, I do not think that we have identified those people yet. However, I believe that they are out there. The South Eastern Regional College (SERC) and the schools are producing those types of entrepreneurs.

In the meantime, while that is happening, we also need to bring a big state-controlled employment opportunity to Down district. On Thursday week ago, I visited a new police victims unit which has been set up in a palatial multi-storey building in Bedford Street. I asked them how they did their work. They said that it is all done by phone. I asked where they could be based. They said that they could be based in Timbuktu and still do the work. I asked whether they had ever thought about placing themselves in Down district or south Down. They said no: they could not do that. The total disbelief in their faces about the prospect of doing the work from Down district was laughable. It had never occurred to them that that could happen. I believe the catalyst that could move Down district forward until private investment and enterprise really gets to grip in the district is to bring a large public-sector back-office to the area.

I applaud the decision taken to move DARD from Dundonald House, which I always thought was a ridiculous place for it, to Ballykelly in east Londonderry. I think that that will have a most enormous benefit for that community. I think that Down district should be considered for a similar move. For example, do we really need to have hundreds of officials in the Department of Health, Social Services and Public Safety working from Castle Buildings when their work could be done on the internet or by telephone from any part of Northern Ireland? The movement of 200 or 300 jobs from the congested greater Belfast area into Down district would have a significant pump-priming effect on the economy of the Down district. Yet, time and again, we seem to be overlooked when those decisions are made.

I applaud the decision to move fisheries branch from Dundonald House to Downpatrick. However, although it is very welcome, when one analyses the number of jobs, one sees that its effect is more symbolic than real. At the last count, they were talking about jobs of fewer than double figures. I welcome that. Wherever it moves to — I think that it is moving to the new Down council site at Downshire — I will cut the ribbon there, but we need something much more significant than that. We can now say that we have the premises. I have to applaud the council on the excellent site that it has now established on the Ardglass Road. We now have an Invest Northern Ireland site, with plenty of capacity, on the Belfast Road and the site on the Ardglass Road. The capacity is there to move jobs to Down district.

#### 9.00 pm

**Mr Deputy Speaker:** Will the Member draw his remarks to a close.

**Mr Wells:** I believe that if that happens, there is a bright future for that area.

**Mr Rogers:** I welcome the opportunity to speak in this Adjournment debate. It is good to get Down district on the agenda.

A socio-economic report was commissioned by Down District Council in 2012, and it is going to be used by the council to inform future economic policies. We are in the grip of a recession, and like all the other areas, Down district has suffered heavily. We depend a lot on farming, fishing and construction. Total income from farming has dropped by 50% in real terms. Added to that, we have had higher than average rainfall and heavy snowfall, which devastated many family farms in Down district.

Our Ardglass fishermen, along with their colleagues in Portavogie and Kilkeel, have had to contend with bad weather, quotas, Isle of Man fees and gear changes, but they have received no hardship payments.

The collapse of the construction industry right across the island has had devastating effects on the area, and construction workers have travelled across Ireland and further afield to get work.

The farmers, fishermen and construction workers, and their families, spend their money locally. When they do not have the money to spend, the results are obvious in the towns and villages, with closing down sales and closed-down shops. The report found that there are enough jobs in Down district for one in two of the working population, and one in three of those living in Down district commute

out of the area. Downpatrick is ranked sixteenth out of 19 rural hubs for connectivity because of accessibility issues to key transport corridors.

We in south Down do not believe that we need an amendment to a Planning Bill to create preferential economic areas, because they already seem to exist, but Down district certainly is not one of them. However, I believe that we are moving to a new era in the relationship between the council and Invest Northern Ireland. I must pay tribute to Mr Mark Bleakney, southern regional manager, for his help over many years. As you can imagine, I have had many encounters with Invest NI in both council areas. You win some, and you lose some.

There are many good stories from entrepreneurs in south Down. One of the most recent was from a local boat builder who was full of praise for the help he got from Invest NI to develop his business. A Castlewellan businessman had a similar story. The jobs fund, business investment projects and support for business in neighbourhood renewal areas are all good stories. Then there is the not-so-good news, when jobs promoted do not match up in any way with jobs created, and entrepreneurs are snowed under with bureaucracy and form-filling.

I recently spoke to the chief executive about the promotion of "raising finance" workshops. There is none from Shaw's Bridge right round to Newry, and I hope that that will be addressed in the future. I subsequently met Invest NI staff and found them — from the CEO down — to be very helpful.

I welcome the setting up of an office in Down District Council headquarters so that clients can meet Invest NI there instead of having to go to Newry. There is a great entrepreneurial spirit in Down district, which I witnessed at the recent Down business awards. I welcome the support from Invest NI and others on the night. However, Down district — in fact, right across south Down — needs the same treatment as Belfast or the Causeway Coast.

I believe that there is some joined-up working at a local level to begin to address the lack of economic activity in Down district. Council officers are working with Invest NI to develop a council action plan. Similarly, they are working with the Northern Ireland Tourist Board (NITB) to develop a strategic tourism project. We have so much potential right across Down district, from St Patrick's Trail to Dundrum castle and beyond, but we need input from central government. There are major opportunities in agrifood and renewable energy, but that does not just happen without central government support. In fact, we will only realise the true potential of Down district if we have joined-up government working for all the people. It cannot all be left to DETI, and I am glad that the Minister is here tonight. All Departments have a major role to play.

As Mr Wells said, education and innovation really are key to our economy's recovery. We have good schools in Down district that work closely with SERC. We need to ensure that our young people have the right skills for the world of work. All our businesses, from macro to large employers, need the support of the Executive.

**Mrs Dobson:** I am pleased to be able to speak in the Adjournment debate this evening. The area of Down district is made up, in the most part, of the South Down constituency. However, as an MLA for Upper Bann, I

welcome the opportunity to contribute to a debate about my neighbouring constituency.

The economy, quite rightly, remains the number one priority of the Executive, as set out in the Programme for Government. However, we must ensure that the advancement of that priority happens as fairly as possible on a geographical basis. We should not allow a situation in which all our resources are being ploughed into a selected number of areas. That would result in Down district, for example, suffering a further lack of economic development, as the title of the Adjournment debate suggests.

I would like to focus for a moment on one such area that concerns me, and that is the number of business start-ups across constituencies. Although I fully understand that Invest NI does not seek to target specific geographical areas, it cannot be right that there is a considerable disparity in the number of indigenous business start-ups from one area to another. In Strangford, for example, where Down District Council has some overlap of jurisdiction, there were only 477 start-ups over the past five years. That is less than half the number in constituencies such as Fermanagh and South Tyrone, East Londonderry and West Tyrone.

I also want to take the opportunity to raise the issue of tourism in Down District Council area. The area boasts some of the most beautiful countryside that Northern Ireland has to offer. I am thinking specifically of Delamont Country Park, Castle Ward near Strangford and Slieve Donard, one of the Mourne mountains that has Newcastle at its base. The area caters for everything from fishing, golfing and sailing to many other leisure activities, and this sector is deserving of our continued support. It is fundamental to the economic well-being of the region that the tourism action plan being taken forward by the Department of Enterprise, Trade and Investment takes full account of what it has to offer.

As my party spokesperson on agriculture and rural development, I am all too aware of the value of the agrifood sector to our economy, not least in the constituency of South Down. The industry has sustained our economy throughout an extremely challenging recession, and we know all too well the plight of farmers and falling incomes. Indeed, I brought a motion to the House recently on that very issue. We also know that fishermen continue to struggle, not least because of poor weather conditions and little or no help coming from the Agriculture Minister. I am pleased that we now have an agrifood strategy in place that sets challenging targets, which, in Tony O'Neill's words last night, are stretching. I hope that the Executive can be equally stretching when it comes to the £400 million required and meeting all the targets set out in the plan.

In conclusion, I want to mention two significant economic announcements made by the First and deputy First Ministers in recent weeks. First, the 'Together: Building a United Community' document contained a range of measures, including 10,000 placements for young people not in education, employment or training (NEET). Secondly, the economic pact that came from Westminster included the continuation of 100% assisted area status and a variety of other measures that could help business. My desire is that these announcements will lead to positive change throughout Northern Ireland, including the Down

District Council area, and it is therefore the responsibility of the relevant Ministers to ensure that this is the case. Our shared future must be equally shared in all aspects.

**Mr Hamilton:** I congratulate the Member for South Down Mr Hazzard for securing the debate this evening. I speak as a representative of about a third of Down district, principally, the towns of Ballynahinch, Saintfield and Killyleagh within the Strangford constituency.

I stand to be corrected, but, looking around the Chamber, I may be, albeit only by virtue of having an advice centre in Saintfield, one of the only ratepayers in Down district who is contributing to the debate this evening. I am a born-and-bred Comber man, which is slightly outside Down district, but I have deep family connections to Down district. My mother was from Ardglass and my father was from Killyleagh.

In some ways, those two villages highlight part of the problem that the Member identified. Ardglass is a town that is built on the fishing industry, which has obviously gone into quite deep decline over the past number of years, and Killyleagh is a village that is built on two linen mills and a tannery. In fact, my grandfather worked in the linen mill for most of his working life. All those have gone, as have other mills in other parts of the district, including Drumaness and Saintfield. Undoubtedly, there has been economic decline in Down district over the past number of years.

I do not wish to dwell too much on the doom and gloom. I appreciate that times are tough in Down, as they are in Ards, north Down, Castlereagh and everywhere around Northern Ireland. I thought that the Member was far too young to be so doom-laden and cynical about these things, but it is contagious in this place. Without wishing to gloss it over by saying that there are no problems, I think that there is a lot that we should celebrate about what is going on in Down district. It is worth taking a moment to celebrate some of the great business successes and some of the assets that the district has.

Principal among them — a couple of Members talked about this — is that it is a premier tourism area in Northern Ireland. You can look at the investment that has gone into Newcastle's streetscape, the huge increase in footfall that that has brought about and the resurgence in the economy that has come from that. You can also look at the investment in the likes of the Slieve Donard Hotel in Newcastle. The whole area can and should take advantage of the fact that it is the gateway to the Mournes.

You have other assets, such as St Patrick's Christian heritage trail, which I do not think has been capitalised on half enough. There is certainly positive work to be done on that. The area has great assets. We had a row and dispute by proxy earlier on the Planning Bill with the National Trust. There are places such as Castle Ward and Rowallane, where I officially opened a new visitors' centre last summer. Those are great assets that the area has. Nowhere else has anything like them. Nobody else can stake the claim to St Patrick that —

**Mr Wells:** Will the Member give way?

**Mr Hamilton:** Very briefly.

**Mr Wells:** Does the Member also accept that Downpatrick has a brand new complex on the Ardglass Road that Down council fostered and that that complex provides a huge capacity for employment? Of course, we also have the

benefit of having a large industrial estate run by INI that has capacity to expand dramatically.

**Mr Hamilton:** Yes. They are both advantages. I have had different reasons to be in both. Ratepayers in Down district should be very proud of both those assets.

There is no huge company in Down district that you could point to and say that that is the premier industry in the area. There are lots of little industries, but some of them are doing absolutely fantastic work. I am thinking of Walter Watson in Castlewella, which is outside my constituency. All the steelwork in the O2 arena in Dublin came from Castlewella. That is something that I think that we should be proud of.

Ballykine in Ballynahinch is providing the steelwork for the regeneration of Ravenhill. Again, we should be proud of that. Datum Design in Ballynahinch is working in the growing area of aerospace technology. It is doing some fantastic work on composites. It is about to take off — literally — in the aerospace sector, which is doing very well. Those are small companies. They do not employ lots of people, but they are doing very well. We should be very proud of those companies and of what they are doing in Down district. We need a lot more companies like them in Down district.

I caution Members about hanging their hat too much on attracting public sector jobs into Down district. I think that that is setting our ambitions a little too low. It certainly does no harm to have public sector jobs in the local economy to underpin it and bolster it a little bit. However, it is not the future. There will be some benefits, jobs and spin-offs, such as spend in the area, but it is not the sort of growth economically that we want.

I put on record praise for Down District Council and what it has done through the business programme Beyond. I think that the business awards and the support and mentoring that it helps to provide have been very beneficial. That needs to be built on as we move into the review of public administration (RPA). The RPA will provide the Down district with an opportunity to capitalise on additional powers such as planning, community planning and regeneration.

We need to start to look at the advantages and assets that the area has. We also need to look at our ability to sell those and to partner with friends, perhaps in Newry and Mourne, to develop the economy of the whole area in a way that I and hopefully everybody here believes it can be developed. If Down district can capitalise on powers that come from the RPA and the opportunities brought about by scale and size along with it, I think that the future, economically, can be bright.

### 9.15 pm

**Ms Ruane:** Go raibh maith agat, a LeasCheann Comhairle. We badly need strategic investment in Down district and, indeed, throughout south Down. My colleague Chris Hazzard highlighted the failures to date, notwithstanding the successes, and Jim Wells spoke about the lack of investment.

One area that I want to focus on a little bit is tourism, and the previous Member who spoke mentioned it too. We have very little tourism infrastructure in the Down district. What we have is good, but we do not have enough of

it. If you go right along the coastline — Members have spoken about how beautiful the area is — we do not have the tourism infrastructure. We do not have the hotels or B&Bs, and we do not have enough hostels. I want to see the development of activity-based and appropriate tourism; I am not talking about tacky tourism. Ironically, given the lack of investment to date, we now have an opportunity to put in the correct investment.

Members talked about a couple of big businesspeople helping to build areas, and big businesspeople can certainly do that. However, I would like to see the development of small and medium-sized enterprises. I would like to see cultural tourism, Irish language tourism and GAA tourism. In all the different areas, the GAA provides a huge benefit to local communities, as do other sporting organisations.

If we are to develop tourism appropriately, one of the things that I would point to is the Great Western Greenway that is in operation and being further developed in my native County Mayo. I urge people to go and look at it because it is well worth seeing. It began as an old railway track between Mulranny and Achill Island and Newport and Mulranny. It now runs all the way from Westport to Achill Island, and it will eventually run from Castlebar to Achill Island. The biggest thing for me is that successful little industries have built up around it, such as bicycle hire shops, B&Bs, hostels and hotels. It is benefiting local small businesses.

There are similar plans, on a smaller scale, for a greenway from Carlingford to Omeath and from Omeath, across the bridge at Narrow Water, into Warrenpoint and up the towpath into Tandragee. That is the type of tourism infrastructure that I want to see being built.

We also need all-Ireland marketing. Ministers have to stop standing with their back to the border. They have to work very closely together at an all-Ireland level. There is no point in spending millions attracting people to Dublin and Newgrange and them turning back to Dublin. We need them to come across the bridge at Narrow Water into Down district and Newcastle. We also do not want those same tourists who come into Newcastle turning back. We want them to come into Newry and Mourne.

We need regional marketing. We need to get them in and to work with people in the Mournes, Carlingford, Slieve Gullion, Omeath and the Cooley peninsula. We need to work together to do that.

We need investment from all Ministers, and I join with Jim Wells in paying tribute to the Minister of Agriculture and Rural Development for the work that she has done. In my small way, I played a role in investing in schools. We put significant money into the south Down area and into schools, such as the “Red High”; Assumption; Shimna Integrated College; and Bunscoil Bheanna Boirche, and the further education colleges that Jim Wells mentioned. Money is now also going to be put into the “Green High”, and the primary schools have also been developed.

I absolutely agree with the Member who spoke previously: RPA is going to make a significant difference. Newry and Mourne District Council, I would argue, has played a huge role in helping to develop the district, along with the east border region through the memorandum of understanding, which was the first one with Louth and one of the first of its kind in Europe. Now that Down District Council and Newry

and Mourne District Council are working together, I think we will see big changes. They deserve credit for the role that they have played.

Tá deis iontach againn anois, agus is féidir linn rud iontach a dhéanamh.

We now have a unique opportunity to make real changes for the Down district, but it needs to be done in that district, then through cross-border working between North and South.

**Mrs McKeivitt:** I am pleased to have the opportunity to comment this evening. I thank the Member for securing the debate, particularly in light of the recent economic study by the well-known independent economist Maureen O'Reilly. The study by Ms O'Reilly recognises that Invest NI had not created the same levels of investment in the Down district as it had in other district council areas. The Public Accounts Committee (PAC) report on the performance of Invest NI, which was published May, also recognised that. The report states:

*"There is significant disparity between assistance levels received by individual district council areas (DCA's). For example, excluding Belfast, the six DCA's in receipt of the highest levels of assistance by Invest NI between 2002-03 and 2010-11 were allocated £381 million, which was over nine times greater than the £41 million allocated to the six DCA's with the lowest levels."*

Down District Council was listed among those with the lowest levels.

Another startling measurement is the amount of spend on foreign direct investment as of December 2011. In Belfast, it was £604 per head of population; £366 in Derry; and £216 in Antrim. So, what would you imagine it to be in Down district: £100; £20; £50; or £10? Not even close. It was £1. I kid you not: one single pound per head of population in foreign direct investment.

I am informed that Down District Council is taking action to promote investment in the area. It has agreed to the creation of a new economic development post to lead on that issue, and it recently entered into discussions with Invest NI about how the area can be promoted more effectively. I am pleased that the council has shown initiative and adopted a self-help attitude to improve the situation, but I feel that this question needs to be asked: what has Invest NI delivered for the people of the Down District Council area?

I welcome all positive steps taken at local level, but we need a commitment from the DUP and Sinn Féin-led Executive and individual Ministers that more will be done to ensure that Down District Council receives a fair slice of the economic development pie.

With urban regeneration schemes and the east coast master plan, I recognise that there is an appetite for developing the area, but we need more than plans and draft schemes. We need urgent action from the top level.

I must acknowledge the investment that has come to the Down District Council area, including the millions of pounds recently invested in the new hospital, the new South Eastern Regional College and the Down civic centre, which was recently opened. As spokesperson for culture, arts and leisure, I am particularly pleased that

funding for the new leisure centre has also been secured, and work will begin in the near future.

In Down district, we have a certain dependence on the tourism product. The Mourne Mountains, which is one of the NITB's signature projects and features St Patrick's country, are significant to the area. Independent economist Maureen O'Reilly said that tourism is one of the areas in which Down District Council should be excelling. It is also being under-exploited, with fewer people visiting the Mournes compared with other major tourist attractions in Northern Ireland. I call on the tourism Minister to ensure fair spend on the Mourne signature project, compared with others such as the Titanic centre and the Giant's Causeway.

I also call on our roads Minister to examine road issues, which have been talked about here this evening, and to explore the potential of creating critical economic corridors to the east. A major road upgrade could be a catalyst for creating economic opportunities for Down district.

**Mr McCallister:** My apologies to the House for missing the start of the debate. I congratulate Mr Hazzard on securing it.

I was fortunate enough to arrive in time to hear some of Mr Hamilton's contribution. I suppose that, when he is in line to be Minister designate, it is important that he is here to contribute to the debate, and, of course, some of Down district is in the Strangford constituency. He talked about some of the important industries that are in the district, and the message about getting a balance in the economy is important. We do not want to be completely dependent on public sector jobs or for them to be seen as the district's only option. We want to make a strong commitment that, where we feel that we can sell the facilities and trained and skilled workforce that are available in the district, it is well worth making the argument for them and presenting the case to various parts of government as they seek to decentralise. Down district can provide a home with a high-quality workforce to staff those facilities, which is a cause that colleagues and I will, I am sure, continue to advance.

A few months ago, with my South Down colleague Sean Rogers, I attended the Down District Business Awards. Like many of my colleagues, when I attend events such as that, I am sometimes surprised by the amount of activity that goes on in a district, the number of small business enterprises — employing one, two, three people or whatever — that are working hard to come up with innovative ideas and solutions to problems and to respond the challenges out there. Like all businesses, they face the age-old problem that, I am sure, the Minister hears about constantly: access to finance and issues around how they will grow and develop their business. Those are some of the challenges that DETI and Invest NI, whose contribution or lack of it was mentioned by Ms McKeivitt, can help to meet in developing business in Down district. The Minister has to address that.

I was certainly impressed by the sheer drive and determination of some of the businesses in Down district. Despite all the problems in the wider economy, they were determined to keep going. So, we need that mix in the economy. We need to support small and medium-sized enterprises and some of the slightly larger ones. Mr Hamilton talked about Walter Watson, a company that I am also familiar with. Such companies not only make a huge

contribution in the area but carry out a huge volume of work across the water and south of the border. It is about getting that balance in the economy, getting the public sector jobs that, we think, we have the skilled workforce to do and encouraging small and medium-sized enterprises and even some of the larger companies.

We will, of course, encourage tourism. We have a good tourist product to sell, from Saint Patrick's Trail to the Mourne mountains and all the work that is going on in places such as Newcastle to really lift the town as a proper gateway to the Mournes. It is about bringing all of that together in a tourism product that continues to evolve and develop through the creation of things such as cycle tracks in Castlewellan Forest Park and across the district. We need a collective effort to get Down district up and running again. The infrastructure will be very important. I know that colleagues across South Down and Strangford have consistently made the case about the Ballynahinch bypass. Mr Wells has been making the case since 1964 apparently. Of course, Downpatrick is in need of help in that department as well. Those are things that we need to look towards and for which we should collectively continue to campaign. With those thoughts and given the lateness of the hour, I look forward to the Minister's response.

**9.30 pm**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** First, let me join others in congratulating the Member on his topic being chosen, which allows me the opportunity to speak on what is obviously, given the number of people who have managed to stay in the House until this late hour, a very important issue. Let me also say that, from my own constituency background in Fermanagh and South Tyrone, I am absolutely aware of the challenges facing our more peripheral areas in Northern Ireland. However, I want to be honest and forthright, as you would expect me to be, about economic development in the Down district, particularly when it comes to attracting foreign direct investment.

We had Ms McKevitt making comparisons between our capital city and Down district. Of course there will be differences between those two figures. I find it rather strange that, in one paragraph, the Member talks about the failure of DUP and Sinn Féin Ministers but then goes on to praise the Culture Minister for investing in cultural facilities in the Down district, the funding for which was obviously helped through by the Finance Minister, who is also a member of the Executive. You cannot have it both ways. You either try to work positively for the area or you decide that you will criticise in a negative way.

I want to say to the Members present that, particularly in attracting foreign direct investment, it is important to clarify that the location decisions are of course a matter for individual companies. I want to spend a little time on foreign direct investment, but I do of course want to talk about our indigenous companies as well. There are some very good companies in the south Down area, some of which I recently visited again. To attract inward investment, an area must be able to demonstrate that it can meet the investor's needs. Recent trends indicate that investors favour reducing their risk by locating their business in areas where they can draw on a pool of skilled labour and where, they believe, investment and cost risk will be minimised. Potential inward investors will also typically

look at an area with regard to existing investors in the same business sector. Invest NI's key inward investment target sectors are ICT, business services and financial services. It will also look at universities or colleges, and we have heard from Mr Wells about the standard of the schools and colleges in the Down area and what they have to offer the business sector.

ICT skill sets and the infrastructure to support business in that sector are, of course, in high demand. In determining a potential inward investor's requirements and specific preferences, Invest NI offers solutions to meet the investor's needs. Invariably, the situations that will occur will not be area-based; rather, they will be driven by skills availability and cost competitiveness. A company will be attracted to where it perceives most of the talent to be or where increased cost competitiveness exists. Therefore, it is vital — Mr Hazzard made the point in his opening comments — that all the — I do not like the word — stakeholders in the Down District Council area or, indeed, the wider area work together proactively to make sure that the story is told of what Down has to offer to particular inward investors. I note that Mr Rogers said that Invest Northern Ireland was working proactively with the council. I hope that it will work with the other public representatives in the area so that they can put forward the story of Down district council area and what it can offer to inward investors. It is not just about us bringing inward investors in; it is about what you have to offer those inward investors in that area.

**Mr Wells:** Will the Minister give way?

**Mrs Foster:** Yes, I will.

**Mr Wells:** Does the Minister accept that the success of Newry was not based on FDI as such but on entrepreneurs who were Newry born and bred investing their skills and expertise in the Newry area and building indigenous companies with tremendous success? That is what we need to do in Down district; we need to replicate what has happened elsewhere in the constituency.

**Mrs Foster:** I was going to speak about that. Mr Wells has made a very important point: those people of vision for the Newry area have attracted people into the indigenous cluster that they have created, and people from outside the area are now interested in doing business in it.

**Mr Hazzard:** Will the Minister give way?

**Mrs Foster:** Yes, I will.

**Mr Hazzard:** I want to say, on the back of what my colleague Jim Wells has said, that just this week Down High School celebrated a young pupil who had won a Sentinus innovation award. I am sure that the Minister will agree that it is important to foster an appreciation for role models such as Gordon Coulter and others. Is there something that we can do to foster aspiration and innovation in our young people so that they look up to business-type role models in our society?

**Mrs Foster:** Again, that is a very important point. Just last week, I visited Kilkeel. I know that Members will be well acquainted with B/E Aerospace. In the G8 advertisements that were seen all over the world, one of the advertisements was for the seats that are made in B/E Aerospace. We should be very proud of the fact that that is the case. As well as that, I visited Kilkeel harbour and spoke to a group that has come together with a vision

for working in the renewable energy space. It is a very important space. They are mostly fishermen, but they see that there are opportunities in the renewable energy scene. In fact, they asked me to come down because they wanted to launch a DVD for them. They have tremendous plans for the development of the Kilkeel harbour area, and that is exactly what Mr Wells was talking about — people who have a vision for their area. As a result of that, Invest Northern Ireland has supported the DVD and will make sure that it goes out across the region. They will be able to say that Kilkeel has an offshore renewable energy installations hub, which is very exciting for the Kilkeel area. I will be very involved in promoting that because I see the way in which they have a vision for their area.

Invest Northern Ireland's new FDI app is another positive development. It will present a snapshot to potential investors of the benefits of setting up in Northern Ireland. Both Down and Newry and Mourne district council areas have indicated that they wish to be involved, and Invest Northern Ireland is working with them on that. As the Down offering develops, it can be reflected in the updating of the FDI app and in continuing engagement with Mark Bleakney and his team in Invest NI's southern regional office. Essentially, the idea is that you go into the Northern Ireland app and then find all the other apps for the different areas. In those apps, you will set forward the proposition for your area. That is an innovative way of being able to put forward what the area has to offer.

I know that Alastair Hamilton was in the Down district council area last month. Invest NI's international investment team has offered to spend time with the council's economic development team, and I am sure that that offer will be taken up in order to help them broaden their understanding of the international investment market. I would encourage continuing investment between all the stakeholders, including the private sector. Mr McCallister made the point that we should not over-rely on the public sector. Of course, public sector jobs are welcome, but the growth is in the private sector. It is in those small and medium-sized enterprises that we will be able to grow the economy in Down and in many other parts of Northern Ireland. Indeed, I understand that the Regional Start initiative is going well in south Down and right across the Down area, which I very much welcome.

I think I have answered most of the issues that were raised tonight. In respect of tourism — Mrs Dobson mentioned tourism — of course, one of the jewels in the crown of Northern Ireland is Royal County Down Golf Club, which is always in the top 10 golf courses in the world. My goodness, what a great accolade to have. What a tremendous thing to have to draw people into your area.

There has of course been investment in Newcastle. I have visited many times and seen the way in which that has lifted the whole area. We will work continually with Members in relation to the Mournes and St Patrick's Christian heritage trail, because tourism is a very important part of the south Down proposition. When I was down there last Wednesday, I thought again about how lucky you are to live in such a beautiful part of the world.

*Adjourned at 9.40 pm.*





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# Northern Ireland Assembly

Monday 1 July 2013

*The Assembly met at 12.00 noon (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Speaker's Business

### Public Petition: Dickson Plan

**Mr Speaker:** Mr Stephen Moutray has sought leave to present a public petition. The Member will have up to three minutes to speak on the subject matter.

**Mr Moutray:** At the outset, Mr Speaker, I thank you for agreeing to accept the petition this afternoon. What I will present to you in the form of almost 5,000 signatures, both online and in paper format, demonstrates clearly the level of local support for the exceptional education system known as the Dickson two-tier system for the Craigavon and Tandragee areas.

The petition was launched back in mid April. From that day forward, support for the Dickson plan and its retention has been demonstrated day after day, with continuous streams of people coming to sign the petition and make their views and support known. We sincerely thank each person who put their name to the petition and supported our campaign thus far.

Politicians are sometimes accused of not listening to the people: on this occasion, we are listening. The message that continues to be sent loud and clear is this: save and retain the Dickson plan.

A very public battle has been raging in recent days. An attempt has been made by the Minister of Education and the Southern Education and Library Board (SELB) to decimate the Dickson plan and destroy the system that we all love and cherish. That system, implemented four decades ago, provides a tailor-made educational experience for children, whether they be academic or vocational, and allows for academic selection at the age of 14 as opposed to 11, which allows time for young people to mature and feel more confident about their lot in life. However, what is planned for Craigavon, which the Minister appears to have a predetermined view on even before consulting the people, is a comprehensive all-ability school that puts children in a one-size-fits-all box. One size does not fit all. Children have different abilities and, as has been noted recently in the Ofsted report in England, comprehensive schools are failing children, particularly the most academic.

Why would we in Craigavon move away from a system that has excellent inspection reports and schools of a high standard? The people have openly rejected this and will continue to do so. The consultation process that the SELB has been involved in has been flawed with preferred options being recommended by the board. There has been a lack of consultation with the local primary schools

and a total disregard for the 3,000 people who supported option b.

I will close with a statement made by the Minister of Education in the House on 15 April:

*"We know through experience that imposing solutions on communities simply does not work." — [Official Report, Bound Volume 84, p45, col 2].*

It is now time for the Education Minister to listen to our community and to retain the Dickson plan for future generations.

*Mr Moutray moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward the petition to the Minister of Education and send a copy to the Chair of the Education Committee.

### **Public Petition: Envagh Primary School, Omagh, St Francis of Assisi Primary School, Castledearg, and Newtownstewart Model Primary School**

**Mr Speaker:** Mr Joe Byrne has sought leave to present a public petition. The Member will have up to three minutes to speak on the subject matter.

**Mr Byrne:** I welcome the chance to bring forward a petition on behalf of three primary schools in the Newtownstewart, Dregish and Spamount areas of Castledearg. The undersigned are concerned about the draft Western Education and Library Board (WELB) strategic area plan proposals for the Western Board area and the effect that they will have on all our rural schools and the communities that they support. Rural schools are the focus of their communities, and those communities believe that any proposals that involve change need to be thoroughly investigated before any action is taken.

The petition is presented on behalf of Envagh Primary School, Newtownstewart Model Primary School and St Francis of Assisi Primary School. The petition contains 1,441 signatures of those who share the concerns about the future of rural education in that part of west Tyrone.

On 19 March, the WELB draft strategic action plan was published. It stated that the managing authority had agreed action on the potential closure of Envagh Primary School. That recommendation was made after a review by Mr Andrew Walsh, the Council for Catholic Maintained Schools (CCMS) adviser. The board of governors is very disappointed that the school is not being afforded the opportunity to seek a local area solution in consultation with the other small schools, controlled and maintained, in the immediate vicinity that are in similar circumstances or have been asked to find a local area solution.

The Northern Ireland Executive rural White Paper action plan provides policy on supporting vibrant rural communities. That policy recognises the vulnerability of rural communities; challenges to infrastructure, particularly transport; the need to maintain and develop rural economies; and the need to support the delivery of public services in rural communities to support social cohesion. These local primary schools in the Ardstraw East area of west Tyrone are extremely concerned that, if the 105-pupil criterion is adhered to, it will signal the death knell for many of these primary schools. I call on the Minister to review the damage that the 105 criterion is causing. Even though the Minister has stated recently that he does not want to close rural primary schools, the reality is that parents are making decisions and choices. They want their children to go to schools that will be viable and sustainable into the future, and there is gross concern that, if there is still strong adherence to the 105 number for primary schools, it could sound the death knell for up to 40 primary schools in west Tyrone alone.

*Mr Byrne moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward the petition to the Minister and send a copy to the Chair of the Education Committee.

### **Public Petition: Westlands Home, Cookstown**

**Mr Speaker:** Mrs Sandra Overend has sought leave to present a public petition. The Member will, once again, have up to three minutes to speak on the subject matter.

**Mrs Overend:** On behalf of Cookstown O4O — Older People for Older People — it gives me great pleasure to present to you this petition in support of Westlands home. On behalf of its residents and all those in the Cookstown district who are concerned about the future of this excellent provision, I commend Cookstown O4O and especially its president, Margaret Gilbert MBE, for drawing up the petition. I commend its members and all the businesses and community organisations that collected the 5,010 signatures in the space of 14 days. The support of those signatories in the Cookstown district is certainly to be applauded.

I visited Westlands Care Home recently and heard at first hand about the high regard in which its residents hold it, the excellent care that they receive and their concerns about their future. It was unfortunate that the outworkings of Transforming Your Care saw the untimely and badly managed announcement to each resident in Westlands that they would have to look for alternative accommodation in the short space of a few months. This caused terrible anxiety to those residents, and the general health of many suffered as a result.

People in the Cookstown district have felt very strongly not only about the way that changes are handled with regard to Westlands Care Home but about the fact that the home is to be closed. Despite the personal assurances given to individuals by the Health Minister that the home would not be closed, he has yet to repeat those assurances in public, leaving the residents with a real sense of unease and anxiety. It seems that the Health Minister wishes to close the home by stealth, and he and his trust are refusing any new residents into Westlands Care Home while giving false assurances that the home would remain open as long as the number of residents was in double figures. Some of those residents have come to Parliament Buildings today and are watching from the Public Gallery. We hope that the Health Minister's new consultation will be open and transparent and take into consideration the views of the people who will be most affected by the potential closures: the vulnerable people who live in these homes and those in the Cookstown area who wish the Westlands option to remain.

As I present the petition in support of Westlands Care Home, I challenge the Health Minister to take some time today, when residents and family members are here in Stormont, to meet them and take 15 minutes out of his busy schedule to talk to them. Despite having recently received a letter from the Health Minister refusing to meet me on the issue, today I repeat my request that he discuss openly and honestly with the residents his plans for Westlands Care Home.

The residents of the care homes all over Northern Ireland are some of the most vulnerable people in our society. They deserve honesty and respect and to be able to live in a permanent and secure environment of their choosing, which I hope the Minister can guarantee. Mr Speaker, I take pleasure in presenting the petition to you.

*Mrs Overend moved forward and laid the petition on the Table.*

**Mr Speaker:** I will forward a copy of the petition to the Health Minister and send a copy to the Chairperson of the Health Committee.

## Assembly Business

### Extension of Sitting

*Resolved:*

*That in accordance with Standing Order 10(3A), the sitting on Monday 1 July 2013 be extended to no later than 9.00 pm. — [Mr P Ramsey.]*

12.15 pm

### Committee of the Regions

**Mr Speaker:** The Business Committee has agreed that this be treated as a business motion and therefore there will be no debate.

*Resolved:*

*That this Assembly nominates Ms Megan Fearon as a full member on the UK delegation to the Committee of the Regions. — [Ms Ruane.]*

## Ministerial Statements

### North/South Ministerial Council: Aquaculture and Marine

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle. With your permission, Mr Speaker, I wish to make a statement, in compliance with section 52 of the 1998 Act, regarding the recent twenty-third meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format. The meeting was held in Carlingford on Wednesday 3 May. The Executive were represented by Nelson McCausland and me. The Southern Government were represented by the Minister for Communications, Energy and Natural Resources, Pat Rabbitte TD, and Fergus O'Dowd TD, Minister of State, Department of Communications, Energy and Natural Resources. The statement has been agreed with Minister McCausland, and I make it on behalf of us both.

Ministers were informed of the retirement of Loughs Agency chief executive officer, Derick Anderson, and noted that arrangements were under way to recruit a replacement. Ministers recorded their thanks for the enormous contribution made by Mr Anderson in the development of the Loughs Agency during his 13-year tenure and wished him a long and enjoyable retirement. Ministers also noted the death in January of former board member Thomas Sloan. Thomas joined the board of the Foyle, Carlingford and Irish Lights Commission in December 2007 and was an active member of the board's aquaculture and shell fisheries subcommittee. Thomas was a valued member of the commission's board and will be much missed.

The vice-chairperson, Alan McCulla, and the acting chief executive, John Pollock, delivered a progress report on the work of the Loughs Agency. We noted that the first meeting of the third Foyle Area and Carlingford Area Advisory Forum took place on 9 April and that members had appointed Mr Peter Archdale as chairperson and Mr Paul O'Donovan as vice-chair of the forum.

We welcomed the agency's ongoing conservation and protection efforts, including the fact that the agency responded to over 100 pollution incidents in 2012 and seized a total of 136 illegal nets. It was reported that adverse weather conditions at the start of the 2013 season had made redd counting difficult but had also resulted in a reduction of poachers on the rivers. The agency also reported that it had made a declaration of closure on the River Finn in order to continue to protect that special area of conservation. That will make the River Finn a catch-and-release river for the 2013 season and suspend downstream commercial salmon fisheries.

Progress has also been made on increasing marine tourism and angling development. That has been enhanced by the agency's prominent engagement with the City of Culture and the important promotional opportunity afforded by the partnership with Tate and the Turner Prize, which is to take place in Derry later this year and at which the agency is hosting an opening reception. Additionally, the agency highlighted its role in supporting the angling element of the World Police and Fire Games, its involvement with the Flavours of the Foyle seafood

festival and its support for the Carlingford Oyster Festival, not forgetting the World Youth Fly Fishing Championship.

We also discussed concerns over the Narrow Water bridge project. However, we welcome the fact that it has now been given the green light. Ministers also discussed the situation regarding the A5 and the Loughs Agency's work with the Department for Regional Development (DRD) to meet commitments under the habitats directive. I reassured Ministers Rabbitte and O'Dowd of the Executive's commitment to the delivery of the A5.

The Council enjoyed a presentation by Dr Ciaran Byrne, chief executive of Inland Fisheries Ireland, on the meeting of the North Atlantic Salmon Conservation Organization (NASCO) that was due to take place in Drogheda from 4 to 7 June. At that event, conservation strategies for North Atlantic salmon stocks and methods to increase the profile of salmon conservation were discussed by managers, scientists and non-governmental organisations from a wide range of countries. The importance of a sustainable Irish salmon population to tourism and the economic benefits that flow from salmon angling were also recognised. The Council acknowledged the engagement between the boards of the Loughs Agency and Inland Fisheries Ireland and their ongoing collaboration.

The Council was also informed about a review of angling involving the Loughs Agency, the Department of Culture, Arts and Leisure, the Ulster Angling Federation, the Ulster provincial council of the Irish Federation of Sea Anglers and the Ulster Coarse Fishing Federation, together with sport-related bodies and the Tourist Board, to develop a joined-up approach to demonstrate the social and economic benefits of angling and the development of the angling product.

In relation to the pension arrangements for the Loughs Agency, we noted the recommendation by sponsor Departments that the Loughs Agency should join the North/South pension scheme and that that was being considered by the respective Finance Departments.

The Council approved the procedure to continue to support the Loughs Agency in dealing with emergencies, such as pollution incidents, through regulation. The procedure was approved for another year up to July 2014, and the Council agreed to review its operation on the basis of a report to be completed by the agency and the sponsor Departments before 20 July 2014.

We agreed to meet again in aquaculture and marine format in October 2013.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I thank the Minister for her statement, but, again, the statement is more about what is not in it and the lack of detail in it. The Committee recently attended the largest seafood trade show in the world when we were in Brussels. Although we were impressed by the stands and the presentations of all our neighbours and competitors — England, Scotland and the Republic of Ireland — only one company was flying the flag for Northern Ireland. Will the Minister explain why the development and marketing of our seafood offering is not on the agenda for the North/South aquaculture and marine sectoral meetings, considering that it is a key target in the 'Going for Growth' chapter on fish and aquaculture? We also hear that there has been a progress report on the

Loughs Agency's work, but we have heard nothing about the details or the progress that it has made.

**Mrs O'Neill:** I thank the Member for his question and, in particular, the point about marketing the great product that we have. It is a challenge. It is wider than the Loughs Agency's remit, in that its job is to promote the Foyle and Carlingford catchment areas. One of the recommendations in the agrifood strategy report looks at the marketing of our products, and we need to enhance that work further in the time ahead. The Loughs Agency is involved in a number of marketing events, particularly around the City of Culture. We have the Foyle seafood festival and the Carlingford Oyster Festival, which are good opportunities to market seafood. There are lots of opportunities, and we need to ensure that seafood is always promoted.

I gave a flavour of the detail of the update report on the Loughs Agency's work. However, if the Chairperson wishes, I am happy to write to the Committee to give it a more detailed breakdown of the Loughs Agency's work over the past number of months.

**Mr Byrne:** I welcome the Minister's statement. She referred to the A5 and the habitats directive. First, will she give an assurance that the Loughs Agency will do everything in its power to co-operate with DRD to make sure that the commitment under the habitats directive can be dealt with as soon as possible? Secondly, will the Minister give any assurance to rod fishermen who are members of fishing and angling clubs that they can have representation on the Loughs Agency in the future? They feel aggrieved that they have not had adequate representation.

**Mrs O'Neill:** The Executive are still committed to seeing the A5 project through, and I am happy to guarantee that the Loughs Agency will do everything that it can to clear up the issue that was raised with the habitats directive. There is some confusion over the Loughs Agency's involvement in that issue. The scheme was stopped by the High Court judgement, which found that there had been a failure to carry out an appropriate assessment of the River Foyle and River Finn special areas of conservation under the habitats directive. That judgement was the result of an injunction case taken by the Alternative A5 Alliance, a group of objectors made up of a number of people who live along the route of the proposed scheme. Part of the Alternative A5 Alliance's evidence was a submission by the Loughs Agency to the open public inquiry on the road scheme. The Loughs Agency gave evidence to the public inquiry under its duty to conserve and protect salmon inland fisheries in the area, and its evidence was not challenged. In simple terms, we will make absolutely sure that there is no ambiguity and that everything is cleared up. The Loughs Agency continues to work with DRD officials to make sure that that happens and that this does not become a barrier to the project moving forward as quickly as possible.

**Mrs Dobson:** I thank the Minister for her statement and answers so far. I also thank my colleague from the Agriculture Committee, Joe Byrne, for stealing the question that I was about to ask. I will go into a bit more detail. Does the Minister accept that the Loughs Agency's evidence led to the derailment of the A5 project and that it bears considerable responsibility, albeit under the Minister's predecessor and the Regional Development Minister's predecessor, Conor Murphy?

**Mrs O'Neill:** No, I do not agree that that is the case. As I said, there has been some ambiguity and, I think, a lot of confusion about the role that the Loughs Agency played in the judgement and where that sits now. The Loughs Agency has been working very closely with DRD on making sure that everything is cleared up and that there is no barrier to the project moving forward as quickly as possible. The work is ongoing with Roads Service, and it engages weekly to make sure that everything is cleared up. This will not be a barrier to the project going forward.

**Mr McCarthy:** I thank the Minister for her statement this afternoon. In paragraph 8, she tells us:

*"the agency responded to over 100 pollution incidents".*

Surely, that is a shocking number in any one year, bringing with it horrendous damage to our waterways. Can the Minister tell how much of that pollution was down to Departments' breaches? Who pays for the pollution?

**Mrs O'Neill:** I cannot give a breakdown of where the pollution comes from relevant to each Department, but suffice it to say that the pollution came from a range of sources, including the farm waste industry and sewerage-related issues. So there is a combination of pollution incidents, and our tackling of that is ongoing. Relatively speaking, the figures have remained reasonably low. I know that 100 sounds like a lot, but the level of incidents has remained pretty low, and we have had no fish kill as a result of those that occurred, so that is very positive as well.

**Mr Buchanan:** My question follows on from the previous one on paragraph 8:

*"the agency responded to over 100 pollution incidents ... and seized a total of 136 illegal nets."*

Will the Minister advise the House how many people were prosecuted, and what was the level of that prosecution?

If the Speaker will allow me, I also want to refer to paragraph 11 regarding the Loughs Agency and its initial report on the A5. How can we be assured this time that the report being done will meet the requirements to allow the A5 to progress?

**Mrs O'Neill:** I will pick up on the second point first. I give a commitment that I will ensure that the Loughs Agency engages, as it does weekly with Roads Service, to make sure that the issue is sorted out as quickly as possible and that it will not be a barrier to the A5 project going forward.

The detail of prosecutions and seizures is as follows: the agency reports that the seizures for 2012 were 76 fishing rods, 136 nets, 16 boats and two vehicles; and the figures for 2011 were 44 fishing rods, 161 nets and 14 boats and vehicles. So there have been quite a number of seizures. Quite often, the number of prosecutions does not relate to the number of seizures because an individual may be prosecuted on numerous charges based on one incident. I can write to the Member and give him a breakdown of the number of prosecutions over the past year.

**Mr McAleer:** First, I am glad to note that the A5 was raised at the NSMC meeting. I am also happy to hear the Minister assure us that the Loughs Agency will play its part to enable the Minister for Regional Development to make the appropriate assessment later. Will the Minister give some details of the seizures made by the Loughs Agency since the last meeting?

**Mrs O'Neill:** I will give you a breakdown of the number of fish and shellfish that the agency has seized: 79 salmon, 10 brown trout, six sea trout, two rainbow trout, 13 roach, one pike, two hybrids and 19 bags of oysters. A large number of fishing equipment and assorted items were also seized, and, in particular, knives, baseball bats, pulley systems and hammers — you name it. The agency has seized quite a number of items.

I am delighted to say that, since the last time that I updated the House on the NSMC, there have been no further attacks on Loughs Agency staff, which we all welcome given last year's serious incidents.

**Mr Rogers:** I apologise to the Minister for missing the first couple of paragraphs of her statement. On paragraph 10, may I seek an assurance from the Minister that the concerns of the mussel fishermen will be addressed, thus enabling the Minister for Regional Development to sign off on the bridge order?

### 12.30 pm

**Mrs O'Neill:** Yes, absolutely. We have been doing a lot of work, including on the design of the bridge, with the fishermen to make sure that we can minimise any impact on them. Those meetings have been ongoing with my Department and with the Department of the Environment (DOE) on the licence. Those discussions are ongoing, and I think that we have militated against any negative impact that there would be on the fishermen.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. Thank you, Mr Speaker. I also welcome the Minister's statement. In the light of Mr McCarthy's question, will the Minister give us an in-depth update on the pollution incidents in the Foyle and Carlingford areas, le do thoil?

**Mrs O'Neill:** Further to the answer that I gave to Mr McCarthy, the number of significant pollution incidents that Loughs Agency staff detected or investigated in the catchments has remained statistically low, and there were no recorded fish kills in the catchment in 2012. Agency staff dealt with a total of about 100 pollution incidents in 2012, and, in 29% of cases, no pollution was found. Almost half the incidents related to farm industry and sewage-related pollution.

## Public Expenditure: Provisional Out-turn 2012-13 and 2013-14 June Monitoring

**Mr Speaker:** The Minister of Finance and Personnel wishes to make a statement to the House this afternoon.

**Mr Wilson (The Minister of Finance and Personnel):** Thank you very much, Mr Speaker. I was not sure whether I was doing the Financial Provisions Bill or the provisional out-turn first. So, I am glad that you clarified that for me.

I thank you for the opportunity to make the statement today on two important public expenditure items. First, I am pleased to inform the House of the outcome of the 2012-13 provisional out-turn and the Executive's June monitoring exercise.

Before going into the specifics of the provisional out-turn and June monitoring, I want to say a few words about last week's UK spending review announcement. The spending review outcome, for us, was as good as we could have expected, given the UK Government's ongoing emphasis on fiscal consolidation. Our resource departmental expenditure limit (DEL) will increase by 0.6% in cash terms, compared with 2014-15. On the capital side, the outcome is even more positive, with a cash increase of 3.3%, again compared with the 2014-15 position. However, some £104 million of that additional capital DEL is ring-fenced for financial transactions funding, and that makes it critically important that the Executive now develop good schemes that can make best use of that funding. I will say more about that later.

That said, it is not all good news. I am increasingly worried about the lack of progress on welfare reform. Just last week, I received a letter from the Chief Secretary to the Treasury on that issue. That letter makes it clear that, if the Executive do not implement relevant welfare reform elements by January 2014, our block grant will be adjusted. The costs are potentially huge. The Chief Secretary has indicated that failure to align our welfare policy with the rest of the United Kingdom is costing the Exchequer some £5 million a month in foregone annually managed expenditure (AME) savings. In the longer term, that could rise to £200 million per annum by 2017-18.

I cannot emphasise enough that we must avoid incurring those penalties. The Executive and the Assembly must therefore make progress in making welfare reform a key priority. Failure to do so would be a great disservice to the people of Northern Ireland, who rely on the public services that our Departments deliver. With that word of warning, I will return to the provisional out-turn and June monitoring.

First, I will address the provisional out-turn. It is critical for the Executive. Not only does it indicate a strong indication of departmental budget management performance during the past financial year but it determines the amount of resources that the Executive can plan to carry forward through the devolved Administration Budget exchange scheme (BES).

The scheme allows the Executive to carry forward end-of-year underspends up to a limit of 0.6% of resource DEL (RDEL) and 1.5% of capital DEL (CDEL). For 2012-13, the Budget exchange scheme limits amount to £49.5 million of non-ring-fenced resource DEL and £13.6 million of capital DEL. Both limits exclude the Department of Justice (DOJ), which is subject to separate end-of-year arrangements. Members should note that any underspend recorded

above those amounts will be lost to the Executive. It will simply go back to the Exchequer.

Before I can detail the Budget exchange carry-forward, it is necessary to highlight the individual departmental position. As usual, the Executive's focus is on the non-ring-fenced RDEL. The non-cash ring-fenced RDEL element is handled separately, as it is strictly controlled by Her Majesty's Treasury and cannot be used for any other purpose, so if it is not used for the purpose for which it is designated, it stays with Treasury.

I will start with the departmental outcome. In their provisional out-turn returns, Departments registered total underspends of £27.9 million of RDEL and £25.6 million of CDEL. That is detailed in the tables that are attached to the statement. The Northern Ireland Audit Office (NIAO) recorded the largest percentage of RDEL underspend, at 3.8%. I am sorry that Mr Kinahan is not in the Chamber to hear that message. Although I recognise that, in monetary terms, it is small, it is important to note that the NIAO and organisations like it use up scarce resources that could otherwise be deployed by the Executive to deliver essential front line services. Of course, that is true of all Departments. All the main Departments returned resource underspends of 1.2% or less, with the exception of the Department of Enterprise, Trade and Investment (DETI), which recorded a 7.9% overspend for a somewhat exceptional reason.

Members will be well aware that DETI lodged a bid for an allocation of some £18 million to write off the EU debtor for the Titanic visitor centre. That bid was not considered by the Executive, and that is why DETI has now registered an overspend in its 2012-13 RDEL budget. However, that budget overspend has now been factored into the overall provisional out-turn outcome. Indeed, I can now confirm that DETI and its colleagues in my Department's EU division have since identified alternative projects for inclusion in the EU programme. I will provide further information on that issue when I come to the June monitoring position.

Members will probably not be surprised to hear that capital underspends were greater in percentage terms. That is, of course, due to the fact that it is more difficult to manage capital budgets. However, the most important thing is that the overall departmental capital underspend was low. I will move on to the implications for carry-forward of resources.

The Budget exchange scheme carry-forward is determined at Northern Ireland block level and excludes the Department of Justice. Therefore, DOJ needs to be excluded from the figures, and account also needs to be taken of the various centre items that impact on the overall block position. DOJ accounted for a significant proportion of total departmental underspend. When that was excluded, the total underspend reduced to £20.9 million of RDEL and £11.3 million of CDEL. That corresponds to just 0.2% and 1% of RDEL and CDEL respectively. That is a remarkable spending performance by Departments. It is testament to the sound Budget management that is exercised by the Executive throughout the financial year. In other words, we are spending the money that was allocated, for the purpose for which it was allocated, in the year for which it was allocated. That is important.

I will now deal with the centre adjustments. On the capital side, there was a minor downward adjustment to our

reinvestment and reform initiative (RRI) borrowing and a small residual amount impacting on the position. That means that the Executive can now carry forward £12 million of CDEL into 2013-14.

On the resource side, there were four centre adjustments. The regional rate provisional out-turn outcome was £4.4 million higher than forecast at the January monitoring. This was due to a number of factors, but it was mainly because of reductions in irrecoverable losses and an increase in income. There was also £4.4 million carried forward from the outcome of the late reallocation exercise conducted by the Executive in March. The Executive also paid out slightly less in RRI interest payments than forecast, and there was a small balancing adjustment between the ring-fenced and non-ring-fenced categories. The impact of all of these issues is that the Executive can now plan to carry forward £29.9 million of RDEL into 2013-14.

As I indicated, the Department of Justice has separate end-of-year flexibility arrangements covering this spending review period. Under those arrangements, the DOJ can carry forward an unlimited amount of resources from one year to the next. However, any funding carried forward must first be used to address additional security pressures, although certain exceptions apply in each particular year. For 2012-13, the DOJ is allowed to carry forward capital underspend in respect of Desertcreat for drawdown in future years within this spending period. I can confirm that the DOJ will now carry forward £13.2 million of capital DEL underspend in relation to Desertcreat, and that can be drawn down either in this financial year or the next.

Before turning to the June monitoring round, I think that it is worth repeating the exceptional overall spending performance of just 0.2% RDEL and 1% CDEL. On the resource side, that is equivalent to an individual on a median weekly wage having just 92p left over at the end of the week. That is good budgeting, and I think that Departments, Ministers, etc, must be congratulated on that. The Executive's excellent budget management has again meant that no money has been surrendered to Her Majesty's Treasury and that we will have additional resources to allocate in the June monitoring round, which I will say more about next.

Before setting out the resources available and the allocations agreed by the Executive in this monitoring round, I would like to highlight two important strategic issues that the Executive have reached agreement on. The first is the reprofiling of asset management unit (AMU) capital receipts, which I know that Mr Bradley will be interested in, and the second is a new end-of-year flexibility scheme for our further education colleges.

Members will recall that the Executive agreed, as part of their four-year Budget, to task the AMU with delivering an additional £100 million of capital receipts over this Budget period. To date, the AMU is on target to deliver those additional capital receipts. However, the recent decision by the UK Government to switch funding from resource to capital, coupled with delay in some major local capital projects, means that the Executive now have much more capital funding available in this financial year than had been anticipated in March 2011, when the Budget was initially agreed.

That relative abundance of capital funding at the expense of resource funding reduces the pressing need for

delivering significant additional capital receipts at this stage, particularly when the realisation of those receipts involves disposal of revenue-generating assets. The Executive have therefore agreed that £23 million of income-generating assets previously earmarked for disposal in 2014-15 should now be retained, with a view to enhancing the value for future disposal.

The Executive also agreed a new end-of-year flexibility (EYF) scheme for our further education sector. It is similar to the scheme that has already been agreed for local schools, which Members will be well aware of. The need for that EYF scheme has arisen due to the recent reclassification of our further education (FE) colleges and Stranmillis University College to the government sector. The impact on our FE colleges is significant, because as NDPBs, they are now required to follow the financial year reporting and budgeting cycle. That imposes significant budgetary constraints on the FE colleges in respect of financial management. The operation of the new end-year flexibility scheme will assist our FE colleges in managing their budgets in this new environment.

#### 12.45 pm

I would now like to turn to the specifics of the June monitoring round. The starting point for this monitoring round is the overcommitment position, which resulted from the Budget realignment and technical exercise agreed by the Executive last year. That led to a starting overcommitment on the resource side of £41.8 million, with £20.2 million of capital investment funding available. There were also a number of centre items, which, along with the starting overcommitment, impacted on the overall financial position in this monitoring round. I will explain more about these centre items.

Members will recall that the Chancellor's 2012 autumn statement and 2013 UK Budget had implications for our budget position in this financial year. The impact on our RDEL was a reduction of £18.3 million, whilst there was an increase of £50.9 million in our CDEL. As I have already highlighted, the provisional out-turn position means that the Executive now plan to carry forward £29.9 million resource DEL and £12 million capital DEL under the Budget exchange scheme.

Members may also be aware that in February 2013 the Executive agreed proposals tabled by Minister Farry and Minister O'Dowd on educational maintenance allowances. The agreed way forward left a residual RDEL pressure of £3.4 million to be addressed in this monitoring round. There was also additional £8.5 million resource funding available due to lower RRI interest payment liabilities than anticipated when the Executive's four-year Budget was first agreed. This is primarily due to ongoing low interest rates charged by the National Loans Fund and the fact that the Executive borrowed some £45 million less in 2012-13 than originally planned. That was part of the flexibility that I negotiated in respect of the A5 road scheme.

Members will also recall that the Executive had previously set aside £13 million resource DEL to address the anticipated shortfall resulting from reform to the rates element of housing benefit. The pressure this year will now be £12.2 million and the balance of £0.8 million resource DEL was released for allocation in this round. In total, taking into account all of these items resulted in an overcommitment of £24.9 million in resource expenditure

and a significant £83.1 million of capital investment funding available for allocation in this round. This was before departmental reduced requirements were factored in, and I will detail those next.

Departments declared reduced requirements in this monitoring round of £15.3 million resource expenditure and £115.7 million capital investment. Full details are provided in the tables provided with this statement. The significant amount of capital funding surrendered was primarily because of the ongoing delay to the A5 road scheme. The reduced requirements also included £7 million capital DEL from the Department of Health, Social Services and Public Safety (DHSSPS) in respect of baseline funding released through the replacement of conventional capital DEL with EU funding. This reflects use of part of the Titanic funding, which was removed from the EU programme in the 2012-13 financial year. Furthermore, the EU Titanic funding is now also expected to fund part of the A2 road project, and that will free up further capital DEL for the Executive. The exact figures have not yet been firmed up, but they are expected to be in the region of £5 million in this financial year and £8 million in 2014-15. I expect to be in a position to confirm these reduced requirements as part of the October monitoring round.

It is good practice that Departments seek to manage any emerging pressures within their existing allocations before bringing forward bids for additional allocations. The public expenditure control framework stipulates that internal departmental movements across spending areas in excess of the de minimis threshold require the Executive's approval. In this round, the Executive agreed just one such movement, and that is also detailed in the tables.

Departments may also, for a number of reasons, seek to reclassify expenditure from resource to capital or vice versa. All such reclassifications need Executive approval. They are also shown in the tables accompanying this statement. Departments may also, subject to Department of Finance and Personnel (DFP) approval, seek to move budgets between the ring-fenced and non-ring-fenced RDEL categories. The impact of those moves is shown in the tables detailing the ring-fenced RDEL position.

All those adjustments impacted on the total amount of resources available to the Executive in this monitoring round. Once all those issues were taken into account, the Executive had £193.6 million of capital DEL available to allocate but a residual overcommitment of £7.4 million on the resource DEL side. However, the Executive had a £71.3 million resource-to-capital reclassification built into their Budget position for 2013-14. That meant that the Executive had the capacity to reverse this switch, which would provide more RDEL at the expense of less CDEL.

As Members will be aware, it is not possible to utilise the available capital funding on taking forward new strategic capital projects in this financial year. That is because large, complex projects such as roads, hospitals and schools require significant lead-in time. The Executive, therefore, agreed that it would be a better use of resources to meet some of the high priority resource DEL pressures in this financial year. Therefore, the Executive agreed to reverse the £71.3 million resource-to-capital switch, which meant that the Executive had £63.8 million resource DEL and £122.4 million capital DEL.

We have now got to the bit that, I suppose, Members are most interested in. What did we do with the money once we got to that stage after switching it round, moving it round, reclassifying it and all the rest? Against the significant amount of funding available, Departments submitted bids totalling £179 million in respect of resource expenditure and £233.2 million in capital expenditure. The individual bids are also included in the tables that are attached to this statement. The Executive agreed allocations totalling £80.6 million on the resource side and £115.9 million on the capital side.

The individual allocations are detailed in the tables; therefore, I will highlight only some of the main ones. There was £59 million to the Department for Regional Development, of which nearly half was for additional roads structural maintenance. The allocation also ensures that DRD is now fully funded in compliance with the regulator's PC13 final determination in respect of Northern Ireland Water. There was also extra funding for new buses, which will attract £5.3 million of EU match funding and is replacing part of the Titanic funding in the EU programme.

The health service will also benefit from £54.5 million of additional funding. That will contribute towards ensuring that the Transforming Your Care reforms can continue and that our hospitals and medical equipment can be upgraded for the benefit of all who use our health service. The DHSSPS allocation also includes £12.5 million for energy-related schemes that will attract EU match funding. That is also part of the package of projects that will replace the DETI Titanic project in the EU programme.

I am sure that Members will also welcome the boost to local economy of the £19 million allocated to DETI. That will ensure that Invest NI can fund additional selective financial assistance and R&D projects in its pipeline, and will also substantially boost Invest Northern Ireland's access to finance funds. The fact that DETI sought that additional funding provides another indication of emerging optimism in the local economy. The Executive will not hesitate to do all they can to boost jobs and growth in that area. The additional funding will also ensure that the Northern Ireland Tourist Board can maximise the opportunities arising from events such as the G8, City of Culture, World Police and Fire Games, and the Giro d'Italia.

There has been much focus on the cost of the G8 event. The most important thing is that we successfully delivered a safe and secure event, and, for that, I give my sincere thanks to the PSNI.

Of course, the event did not come for free, and, although the UK Government picked up the majority of the costs, the Executive provided some funding in the June monitoring round. The estimated G8 policing and security-related costs now stand at approximately £75 million. However, the UK Government have agreed to cover some £60 million of those costs. That leaves a balance of £14.5 million, which the Executive agreed to allocate to DOJ. In addition to the policing and security-related costs, there were some costs registered by Departments, including DETI, DRD and Health. Those amounted to some £5.1 million and funded road improvements around Enniskillen, a publicity campaign to maximise the economic benefits of the event and pressures on the Ambulance Service and the Fire and Rescue Service.



We must recognise that the G8 event has the potential to generate huge economic benefits for Northern Ireland. That is why the event will be followed by an investment conference in the autumn. Of course, we will not know the full economic benefits for years to come. However, a recent report by Barclays, for example, estimated that there could be significant net economic benefits in the short run, with potential for much greater long-term benefits for Northern Ireland.

The Executive also agreed to provide further help for new homeowners. This resulted in a £10 million allocation to DSD for the co-ownership scheme, which remains oversubscribed. This will help an additional 200 new homeowners on to the property ladder and further boost our construction sector. The construction sector should also welcome the additional £5 million to DE for schools minor works.

The Executive also confirmed previous commitments in respect of the hardship scheme for farmers affected by the severe weather experienced in March and funding for local government reform. The allocation to DARD will enable hardship payments to be made to an estimated 1,250 farmers who lost livestock as a result of the severe weather experienced in March. The allocation to DOE will ensure that the review of public administration transition costs are adequately resourced.

In addition to the many allocations, the Executive agreed to set aside £17 million for the purchase of the Invest NI headquarters. Currently, Invest NI leases the building through a PFI contract. However, the incumbent company went into administration, and Invest NI can now buy back its headquarter building at a very competitive price. This would result in significant resource savings and should, therefore, represent a very good deal for Invest NI and the Executive. I hope to be able to confirm this allocation in the October monitoring round.

Members will be aware that the UK Government recently allocated ring-fenced financial transactions capital funding of £46.8 million in this year, with an additional £59.3 million in the next year. As I mentioned, last week's UK spending review provided a further £104.3 million financial transactions money in 2015-16. That can only be used for private sector loan or equity investment. My officials have been working with colleagues in other Departments and the SIB to develop schemes that may make use of this funding. To date, several emerging schemes have been put forward by Departments. However, it is a complex area, and a number of technical issues must be addressed before allocations can be made. The Executive, therefore, agreed that it would be premature to make significant allocations from this ring-fenced expenditure in this monitoring round.

There were, however, two schemes that were sufficiently developed to ensure that there should be actual spend in this financial year. The first was the agrifood loan scheme. I have mentioned this scheme a couple of times in the Assembly, and we have been working with DETI, the banks and the agrifood industry on it. The scheme would ensure that our agrifood sector would be in a position to maximise the opportunity provided by a recent commitment by the major UK supermarkets to source more of their produce from the UK. The agrifood loan scheme would provide subordinated Executive loans of up to 40% of total build costs, with local banks providing the balance of funding.

The scheme will, therefore, ensure that primary producers can obtain finance without providing full security. That is expected to unlock a significant number of projects that would contribute to substantial increases in output, employment and external sales from the local agrifood sector in the coming years. There would, of course, also be an immediate construction sector boost. The Executive agreed to provide £10 million of financial transactions funding to the scheme and that further funding would be committed in October, should there be completion of the contractual arrangements.

#### 1.00 pm

The second scheme was the existing Get Britain Building initiative, which was launched in January. The Executive agreed to provide a further £7.2 million of financial transactions funding to the scheme. Furthermore, DSD is in the process of finalising two variations on the Get Britain Building housing schemes, and the Executive anticipate funding those in the October monitoring round.

I usually update the House on the latest position on the social investment fund and the childcare strategy, and this year is no different. Members will recall that, as part of Budget 2011-15, the Executive set aside £11 million resource and £15 million capital for the social investment fund in this financial year. The Executive also agreed, as part of the Budget realignment exercise, that Delivering Social Change projects should be funded from that centrally held fund. In addition, the Executive set aside £3 million resource for this year to fund childcare strategy initiatives.

A number of allocations under the Delivering Social Change banner were processed in this monitoring round, including £2 million resource to DHSSPS, £1 million resource to DE, £1.1 million resource to DSD and £0.5 million resource to OFMDFM. Furthermore, there were RDEL allocations from the childcare fund, which included £0.4 million to DHSSPS, £0.2 million to DCAL and £0.8 million to OFMDFM. There was also a transfer of £0.03 million RDEL to OFMDFM under the social investment fund. Since that funding is accessed from existing central funds set aside by the Executive, those transactions were handled as technical transfers. The transfers mean that there is now £6.4 million resource DEL and £15 million capital DEL remaining in the social investment fund for 2013-14. Similarly, there is a residual £1.6 million resource DEL in the childcare strategy.

I want to inform Members of the approach that the Executive have agreed for the 2014 capital position, which has been subject to debate in the Chamber on a number of occasions. The background is that Minister Kennedy recently wrote to me indicating that the ongoing delay to the A5 road scheme was likely to free up capital DEL funding in the 2014-15 financial year. He also set out a number of road schemes that, he suggested, could be advanced in the next financial year to make use of any additional capital funding. Given that all significant capital projects have a considerable lead-in time, the Executive agreed that it would be helpful to consider, as early as possible and in a strategic manner, projects that may be advanced in 2014-15. Pending further consideration of all options and to ensure that valuable time is not lost, the Executive have agreed that the Regional Development Minister can proceed with the Magherafelt bypass project.

The scheme, costing around £40 million, will address a key bottleneck on our road network, and the Executive's proactive approach sends a clear message of confidence to our construction sector at this difficult time. It is anticipated that work on the ground will start in the autumn of next year.

To ensure that all Ministers have an opportunity to put forward proposals, the Executive agreed that my officials would conduct an exercise over the summer seeking capital project proposals for the 2014-15 financial year. The outcome of that exercise will be brought to the Executive for consideration as part of the October monitoring round, and I will update the House on the outcome of our deliberations.

This June monitoring round has been complex, and the Executive have agreed total allocations of £196.5 million. We have also precommitted an additional £17 million of capital funding to be confirmed in the October monitoring round that has been allocated out of £17.2 million of financial transactions funding. Taking into account the £17 million of precommitted allocations, the Executive left this monitoring round with an overcommitment of £16.8 million of resource expenditure and an effective overcommitment of £10.5 million in capital expenditure. That is perfectly manageable at this stage of the financial year.

The allocations made in this round will provide a huge boost for our construction sector. We should welcome the additional funding for road structural maintenance, hospital maintenance and capital works, school maintenance, co-ownership and the financial transactions funding for the Get Britain Building scheme and the agrifood loan scheme. Indeed, those allocations, which will directly boost the construction sector, total £73 million.

The Executive's provision of further resources to Invest Northern Ireland to fund business growth here is good news for the local economy. The Executive's commitment to the agrifood loan scheme also has the potential to support significant growth in this sector, with all the wider economic benefits that that can bring. Our hospitals will also benefit from the injection of funding for the maintenance of the health estate and the purchase of new medical equipment. The allocations confirmed today will have a real and lasting impact on our local economy and on the public services delivered to the people of Northern Ireland. Therefore, I commend the June monitoring round to the Assembly — and thank you very much for the glass of water.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement and agree with him that some of the allocations are to be welcomed, particularly the hardship scheme payments that will affect some of my constituents.

The G8 costs outlined in the statement total almost £20 million, including £14.5 million to the Department of Justice and £5.1 million to DETI, DRD and the Health Department. What pressures might those costs create in those Departments? The public will want to know what the Department of Finance and Personnel's assessment is of the potential returns from that expenditure.

**Mr Wilson:** Before the G8 took place, considerable doubt was expressed about the cost of the event and its benefits to Northern Ireland. We always had the begrudgers, the naysayers and the whingers and the negative people

looking for the bad news story from it. It has now been universally accepted that we put on a good show — even the weather helped us, for goodness' sake. It was the safest and the most secure G8, and there have already been benefits from it because of the publicity that we got.

Let us look at other places that have had to host the G8. The Scottish Executive, for example, got less than half of their total expenditure covered by central government. We have done very well out of the allocation made for the costs that we had to bear. I outlined the pressures on each of the Departments, which run to a maximum of £1 million or £2 million for any Department, apart from DOJ, to which we have allocated money. I believe that all Departments will be able to manage that within their existing budget.

Of course, we also wish to invest, and some of the money allocated today will be invested in exploiting the opportunities that will come from the G8. Independent surveys — the important thing is that they are independent — by Barclays and others indicate that there should be medium-term and long-term benefits. It is in our hands to exploit those in the future to ensure that we get the maximum return from the event.

**Mr Weir:** I thank the Minister for his detailed statement. Just to show that all politics is not parochial, has any consideration been given to funding the Armagh jail project, which has the potential to revitalise tourism in Armagh city?

**Mr Wilson:** There is no reference in the statement to the Armagh jail project. There was, however, a reference to it in the original statement. The original proposal that I made to the Executive contained a recommendation that we would, subject to a business plan, which you would expect, make an allocation to the Armagh jail project in the October monitoring round. It is a very important regeneration project, because, first, it is a historic building and, secondly, the project will provide hotel accommodation in Armagh, where there is a shortage. For some reason or other, Sinn Féin decided that it did not wish to have that recommendation in the statement. I have yet to receive an explanation of why it wanted it dropped. It was dropped because we could not get agreement to have it included in the monitoring round, but hopefully, over the next number of weeks, some of the party's councillors in the Armagh area, who, I understand, support the project, will bring some pressure on the party to make sure that it is included in the next monitoring round.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. Thank you very much, Mr Speaker, and I thank the Minister for his statement. I will go back to the reduced requirements. In last year's June monitoring statement they amounted to £12 million in resource and £29 million in capital, compared with £15.3 million in resource and £115.7 million in capital this year. How confident is the Minister that what he has set out today indicates that all Departments have fully declared their reduced requirements at this time and that disproportionate amounts of money will not be handed back later in the year when there is less opportunity for them to be reallocated and fully utilised?

**Mr Wilson:** That is a constant theme that I come to in all these monitoring rounds. Obviously, at the beginning of the year, Departments sometimes have difficulty identifying whether there will be reduced requirements. I thank the

Departments that, at an early stage, have indicated that there is some money that they will not be able to spend, because it means that we can reallocate it.

Before I came here this morning, I had a site meeting with some people from Roads Service. That helped to oil the wheels of the decision-making process for me, I hope, in getting a positive decision for my constituent. The point that Roads Service made to me was that getting money for structural maintenance and road maintenance at this time of the year was far more useful, because the work can be done in good weather and you can have more considered projects etc. That is the important thing.

The Member hit the nail on the head: the sooner we know that money will not be spent, the easier it will be to allocate it to good, sound and worthwhile projects instead of having an end-of-year rush. Even worse, if the money is not declared within all the monitoring rounds, we finish up with an underspend. That makes it more difficult to manage the money, because the limits of the budget exchange scheme are very narrow. The one thing that we want to avoid is giving money back to the Treasury. We have successfully avoided that, even though we had some very late underspends declared this year after the February monitoring round. We preach this message to Departments all the time. Hopefully, it will get across that, the sooner you declare reduced requirements, the better the money can be spent.

**Mr Cree:** I also thank the Minister for his public expenditure report, which is very good. It is particularly gratifying to see that no money was returned to Treasury.

I can see that there has been a problem with the PFI project for the headquarters of Invest Northern Ireland. Will he assure us that that is not a change in policy? The intention was to go in the other way by realising assets and renting buildings.

On the local government side, is the £5 million transition cost all the money that is needed to make this thing go?

**Mr Wilson:** First, the Invest NI decision does not represent a change of policy or general direction: it is an example of where, with a bit of fancy footwork, we can solve a number of problems with one decision. We had an excess of capital that, for all the reasons that I gave, could not be spent, including long lead-in periods, a lot of capital returned to us and the Westminster Government emphasising more capital expenditure than resource expenditure, which meant that allocations came mostly in the form of capital allocations.

#### 1.15 pm

Secondly, the opportunity arose to buy the building. The rent that we were paying comes from the resource budget, which is getting tighter and harder to find provision within. We had a golden opportunity to purchase the building using capital money and, in the long run, over the next 18 years of what would have been the lease, to save resource money. We estimate that we will save nearly £3 million a year compared with what we have been paying in rent. That is £3 million freed up in the resource DEL, which is where the pressures are at present and where they are likely to be for the foreseeable future. It is not a change in policy in the sense that we want to go back to owning buildings — the Member will know that there are good reasons for that — but an opportunity arose and all

the circumstances came together. I think that we did the right thing in grasping that opportunity. The savings over the lease period amount to nearly £24 million of resource money.

As for the RPA transition costs, the figure is what the Executive decided to allocate, and the Minister of the Environment is happy with that. The Member will know, because we have talked about it before, that the costs include a wide range of things — capacity building and all the rest of it. Hopefully, that will smooth the progress of RPA so that it can take place, on timetable, next year.

**Mrs Cochrane:** I, too, thank the Minister for his statement, and I commend other Ministers on their spending performance to date. What consideration has been given to the initial resourcing of the Together: Building a United Community plans in this financial year?

**Mr Wilson:** As, I hope, I said at the start of the statement, one of the ways in which the Building a United Community project will be funded is through the additional borrowing powers that we have been given. I outlined the outcome of the spending review and the fact that, next year and the year after that, we will have the ability to borrow an extra £50 million a year. That is part of the way in which the programme will be financed. Obviously, if additional money is required — the Member will be well aware that the detail of the schemes has not yet been finalised — it will be up to OFMDFM to bid for it in next year's monitoring rounds.

**Mr G Robinson:** Will the Minister explain the internal reallocation of £2 million in his Department for equal pay?

**Mr Wilson:** That was to ensure that, should we have to pay out money to retired civil servants, we had allocated funds. The Abdulla ruling in Great Britain may have an impact on applications by retired civil servants in Northern Ireland. The allocation was a precautionary step to ensure that we had the money available to make payments.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. I welcome his announcement about the Magherafelt bypass. It is a good news story for the people of mid-Ulster and the Magherafelt District Council area, not just road users and local traders but the people in general. How long will the project take to complete?

**Mr Wilson:** I am glad that the Member welcomes the announcement. His party and mine received some criticism because we did not support the populist motion that was debated in the Assembly a couple of weeks ago, which called for the funding of the Magherafelt bypass this year.

Of course, the reason for that, as he will well know, is that money cannot be spent on the Magherafelt bypass in this year. The vesting and procurement processes are still to be done. That is why I said in the statement that we expect work to start in autumn next year, not autumn this year.

So that there can be no further excuse by DRD for delaying preliminary work on the project, we have made it clear that money will be allocated. We are not allocating money; we are indicating that money will be allocated when it is capable of being spent. Therefore, the Regional Development Minister does not have to drag his feet any longer on the scheme, and the scheme, which as the Member said is a very important scheme, can be provided.

I met the council and traders in Magherafelt four or five weeks ago. They explained the position to me and I saw it at first hand as we tried to drive through the town. I believe that this is an important strategic project that will actually help to free up a bottleneck and will maybe help the regeneration of the town centre.

**Mr Byrne:** I thank the Minister for the statement. There are some good items and projects in it. I welcome particularly the roads structural maintenance increase and the Magherafelt bypass.

Does the Minister think that £10 million will be enough for the agrifood loan scheme? Does he hope to increase that amount later? What discussions has he had with the banks? The Agriculture Committee met the banks last week, and they were not that forthcoming in relation to their lending.

**Mr Wilson:** It is an initial allocation of £10 million. As I said in the statement, we will revisit it once we see how the scheme is progressing, whether we are getting all the necessary structures in place and what demand is like. I suspect that it will be much more than £10 million over the period. The opportunity lies over the next two or three years. If we miss the boat over that period, the supermarkets will source their produce from other places and we will have lost out. That was one reason why Arlene Foster and I felt we had to step in quickly.

It is not the end of the story; £10 million is the initial allocation. As we see what happens with demand and as we get the structures in place, more money can of course be made available. Given the difficulties that we have with financial transactions money, where we see a scheme such as this that can reap huge job benefits as well as having export potential, we will grasp it.

As far as the discussions with the banks are concerned, Arlene, representatives from the agrifood industry, and I, met all the major banks. They are working between themselves on the kinds of security issues they see. We believe that we have given them the ability to give loans to farmers who want, for example, to put up chicken or pig houses or whatever. We are taking some of the risk; up to 40% of the loan for any chicken house will be made available through the loan scheme that we set up, and we will have the last call on it. So, the banks' risk is reduced there.

For the agrifood industry, the banks will be vetting farmers who are going to be suppliers. Therefore, they will know that they are capable of doing the job and maybe even have a track record. Of course, the agrifood industry will bear some of the ongoing cost, because it supplies the grain, etc. If a business fails, because you need to have the supply of chickens, there is always the possibility of taking over and running the thing themselves.

The banks are actually getting quite a good deal out of this. If they were to balk at this, I think we would then be able to say that, despite all the rhetoric about lending, we do not see that reality on the ground. I do not want to be critical because I want to get them on board with the scheme. They were more than happy to come to a meeting. They said that they would go away and work at this themselves and come back to us. I am hoping that, in the very near future, we will have some positive results from that.

**Mr McQuillan:** I thank the Minister for his statement. I, too, welcome the setting aside of money for the Magherafelt bypass. I know that my colleague beside me is very keen for that project to happen. Minister, continuing on from the last question, how important do you see the agrifood loan scheme being to the growth of that sector?

**Mr Wilson:** I see it as being very important. I cannot remember how many million more chickens and pigs need to be produced every year. However, if we are to meet the demand that the supermarkets will have, something has to happen quickly. Most of the farmers who will be involved cannot give the kind of security required. Do not forget that, once you have built a chicken house, you have a chicken house and you cannot use it for anything else. The banks argue that those are really worth nothing if they are not used to produce chickens, hence the degree of risk. If you are to get chicken houses built fairly quickly, you have to put in the finance quickly. You cannot hum and haw and say that it is too risky and that we need more security and have long, protracted negotiations about loans. It has to be done within a very short period. We believe that by de-risking the project in this way — or partly de-risking it, as we carry some of the risk by taking on 40% of the loan and being the last people to be repaid — we will assist the very rapid growth of that part of the supply chain.

**Mr Rogers:** I thank the Minister for his statement. How will the end-year flexibility affect further education colleges in continuing to play a key role in kick-starting our economy?

**Mr Wilson:** The problem with further education colleges, and the reason why we have had to introduce this end-year flexibility, is that when further education colleges were independent, stand-alone entities, they could manage their own budgets. Now, their budgets have to work on the financial year cycle. As the Member will know from his experience, the school year is not the same as the financial year, and, therefore, a college might find that it has not spent all its money by April or the end of March because there is still part of the college year to run. If that money is not spent, it is declared as an underspend, which has an impact on us. If that accumulates across all the colleges, it causes a problem.

We have done the same thing that we did with schools. If the college has unspent money at the end of the year, that is held by my Department under end-year flexibility. The relevant Department then bids for it again in the June monitoring round so that it can be allocated to the colleges. The colleges do not need to have it all spent or rush to spend it at the end of the financial year, leaving themselves with that gap between April and the start of the next college year in September. That works very well for schools. Indeed, schools have been able to keep saving at the rate at which they have always done, so that they have resources available for one-off expenses or whatever. I have no doubt that it will work just as well for further education colleges.

**Mr Girvan:** I thank the Minister for his statement and apologise for being late for the start of it. Given the length of his answers, I thought that the Minister had turned into another Minister; that is Mr Attwood, by the way.

To what extent has the budget exchange scheme assisted in the better financial management that the provisional outcome illustrates?

**Mr Wilson:** The budget exchange scheme enables us to carry some money forward. We manage our budgets very well. As I said, what we have done this year is the equivalent of somebody on an average income having only 97p left at the end of the month. We have kept spending very tight. Nevertheless, you will always have situations in which not all the money is spent. Before the budget exchange scheme, we had either to find ways of frittering that money away or give it back to the Treasury. As a result of the budget exchange scheme, we now have that flexibility. It is quite tight; nevertheless, we have the flexibility to carry about £60 million a year over from one year to the next. We have not had to do that this year, but that gives us the ability, in the June monitoring round, to consider how best to spend that money rather than rushing in February and saying, "Just spend it on anything; get rid of it", which, of course, is not a good way of managing money in any circumstances.

### 1.30 pm

**Mrs Overend:** I thank the Minister for his statement. The DUP can spin its refusal to support the Ulster Unionists' recent motion on road improvements all it likes, but we did not mention in our motion that the money had to be spent in this year.

I welcome the statement. Will the Minister confirm that my colleague the Regional Development Minister has won the argument on starting the construction of the Magherafelt bypass and that funds have now been set aside to move through vesting and on to procurement? Furthermore, will the Minister commit his support to the policy idea of the 10% top-up compensation, similar to the policy in GB, for landowners who are required to release land?

**Mr Wilson:** First, we do not spin when it comes to projects; we deliver. That is the important thing. The First Minister and I went to Magherafelt and saw the situation. Long before there was any debate in this Assembly, I had spoken to the council and the traders, and the First Minister had spoken to, I think, the traders in Magherafelt. We have had representations from our Assembly Members in the area, and a conscious decision was made to deliver on that important project. So, let us make it quite clear what happened with that situation.

The Member is maybe trying to rewrite history when she talks about not wanting the money spent in this year. In fact, the whole point of the debate was to try to ensure that money was allocated in this year, even though it could not be spent this year. Indeed, I was in somebody's house the other night, and I read an article in the 'Mid-Ulster Mail' or whatever it happened to be and thought, "What is this all about?" The statement had been written at that stage, Mr Speaker, just in case anyone thinks I was influenced by the paper. The question was quite clearly this: why is the money not being given now? The money is not being given now because the money cannot be spent now. Let us make something clear: the Minister always had the ability to start the work on that road scheme. Let us not fall out about it, but let us get the people of Magherafelt the road scheme that they need and that will be important for them.

The Member asked about the 10% top-up compensation. Members always refer to what happens in other parts of the United Kingdom, but the compensation scheme in other parts of the United Kingdom is different from the one that is available in Northern Ireland. If Members

want the legislation changed so that we replicate the compensation scheme from other parts of the United Kingdom, landowners would face certain losses compared with what they have under the scheme here. It is swings and roundabouts. Before we go down that route, Members ought to bear in mind that although we do not have the 10% top-up, if people's houses are affected, they have the 10% for home loss and disturbance. We also have different elements of the scheme that do not pertain in the rest of the United Kingdom. Overall, people do just as well.

**Mr D McIlveen:** I thank the Minister for his statement. Can he confirm whether there is still the same enthusiasm or lack of enthusiasm in the Executive for the A5 scheme?

**Mr Wilson:** The Executive have committed themselves to building the A5. The problem was not an Executive decision but a decision of the courts and the group of people who lobbied against the building of the scheme. You could perhaps argue that DRD could have covered the planning aspects more fully than it did. Nevertheless, we are where we are, and the Executive commitment is still that, once planning permission has been granted for the scheme, the scheme will go ahead. Of course, we will have to find the resources for it.

**Mr Swann:** Minister, you said that you will task your officials, over the summer, to seek capital project proposals for the 2014-15 financial year. Will you still give the same commitment for the A26 so that that can be brought forward as soon as possible as well?

**Mr Wilson:** The point of having a review of all capital projects is that, given the significant amount of capital money that we have, we want to ensure that it is spent on the highest priorities. Other Departments will have priorities as well. Indeed, in the Budget debate, I heard Members from Mr Swann's party talk about capital priorities that they see and which they would like to see financed over the period of this year's Budget, let alone next year's Budget. I do not want to presume what the outcome of the review of capital projects will be, but I have no doubt that the Minister for Regional Development will be putting the roads projects forward, less the Magherafelt one, which we have now said that we will fund out of next year's money anyway. I am sure that the Health Minister will have, under Transforming Your Care, some health proposals. Indeed, he was at a meeting with me on Friday where we were talking about health priorities in the Northern Trust area, which will require capital expenditure. All those things will go into the pot, and decisions will be made. Resources will be available, and the decisions will be made on the basis of which projects are the highest priority.

**Mr McAleer:** Minister, your statement indicates that the £40 million allocated to the Magherafelt bypass will come out of the A5 budget for the 2014-15 financial year. Can you confirm that the Executive have made that decision? There is a view in the west that the A5 will be well under way in 2014.

**Mr Wilson:** This statement has been approved by the Executive, so it is an Executive decision. That is the only reason why it is here today. As I said, parts of this statement were left out because they did not get approval, including a part about Armagh jail. Anything that is in the statement has Executive approval. As far as the question of what roads expenditure will take place in 2014-15 is concerned, all the indications from the Minister for

Regional Development are that, at the very least, it will be the middle of the year before the outcome of the planning application and the process for the A5 is known. On that basis, there will be a considerable amount of A5 money that cannot be spent — if any of it is spent — in the next financial year.

**Mr Givan:** I thank the Minister for the statement and the work on his part that has gone into bringing forward these allocations. The public will want some more answers about the £75 million in G8 capital costs. I commend the Minister that Northern Ireland has a better deal than Scotland got when the G8 was hosted there, but can he assure the House that the capital costs that went into the G8 project will be able to be used in future policing operations and that this was not a one-off cost? Can he assure us that there will be a long-term benefit to the police from what they bought?

Secondly, in future monitoring rounds, the Department of Justice will bid again for the Prison Service exit scheme. A small number of officers are waiting to be able to leave the service, and that will finally draw a line under this scheme, which has allowed in the region of 500 officers to be able to leave the service in recognition of the work that they carried out during the darkest times of our Troubles.

**Mr Wilson:** I will take the second point first. The Executive have, of course, been generous in the allocations to the exit scheme for prison officers. Indeed, in the January monitoring round, we allocated a substantial amount of money. Even after the January monitoring round, when it became clear that Departments would declare some underspends that had not been identified in the January monitoring round, we made a further allocation. The resource end of the budget is always tight, but it is open to the Justice Minister to apply for future moneys for the scheme. It is an invest-to-save scheme, but there will be other competing pressures. However, those two allocations were made at the end of the last financial year.

We fought hard with the Treasury over the policing costs for the G8 summit. Although there was expenditure in paying for police officers to come from other parts of the United Kingdom, to kit them out, to look after them and all the consumables for any such security operation, the Treasury made the point that some of the expenditure was intended for capital equipment, such as surveillance equipment, drones, and so on. Those will not disappear now that the G8 has gone, and they are not redundant. That capital equipment will be available to the police and should, therefore, be part of the normal budget.

The Member makes an important point. It is not as though we paid out this money and there are no long-lasting benefits. Part of our allocation for the security costs was for equipment that the police may or may not have purchased anyway but that they were able to purchase in advance because of the G8 summit. They will be able to use it over the next number of years as part of the normal security equipment that helps them to detect crime and to catch criminals.

## Executive Committee Business

### Financial Provisions Bill: Second Stage

**Mr Wilson (The Minister of Finance and Personnel):** I beg to move

*That the Second Stage of the Financial Provisions Bill [NIA 22/11-15] be agreed.*

This short Bill handles a number of routine financial matters that have no impact on the overall quantum of government expenditure in Northern Ireland. Financial provisions Bills are routine in nature and are required at intervals to deal with minor and/or non-controversial amendments to governing legislation.

On this occasion, the Bill contains six provisions. Clause 1 is a repeal, in its entirety, of the Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968. Under that Act, loans were made available at competitive commercial rates of interest for a wide range of agricultural purposes, such as the purchase of livestock, seeds and fertilisers, and the improvement of farm dwellings and buildings. Given the lessening demand for loans and the need to reduce government expenditure, the Department of Agriculture and Rural Development (DARD) ceased to accept those loan applications at the end of November 1979. There is no principal outstanding, and all the loans advanced to the agricultural loan fund from the Consolidated Fund have been paid in full. The legislation is no longer required and needs to be repealed.

Clause 2 seeks to amend the Harbours Act (Northern Ireland) 1970 to permit the Department of Agriculture and Rural Development to provide grant-in-aid to the Northern Ireland Fishery Harbour Authority (NIFHA). The Northern Ireland Fishery Harbour Authority is an executive non-departmental public body (NDPB) sponsored by the Department of Agriculture and Rural Development. Its duties include the improvement, management and maintenance of the three fishery harbours and harbour estates of Ardglass, Kilkeel and Portavogie. Up to now, the Fishery Harbour Authority has generally been able to meet its operational costs from the revenues it generates, but in recent years, as a result of factors largely beyond the authority's control, it is becoming more difficult to achieve break-even consistently on an annual basis. Should the position arise that the authority regularly incurs an annual operating deficit, DARD wishes to be in a position to provide grants to cover the deficit.

I am advised that the authority has already introduced a number of policies to reduce operating costs and is seeking further efficiency savings. However, the environment in which the authority operates — one of reduced fishing opportunities and fluctuating prices — makes it difficult to forecast changes in revenue, and that, coupled with consistent pressure from stakeholders to keep charges as low as possible, makes the authority's trading performance uncertain. As a result, DARD wishes to have the authority to provide support if it is judged necessary to do so.

**1.45 pm**

Clause 3 amends the Judicature (Northern Ireland) Act 1978 to enable the Court Funds Office (CFO) interest rates to be adjusted by way of departmental direction. The Court

Funds Office is responsible for the management of funds held in court, mainly on behalf of minors and patients who are deemed incapable of managing their affairs. The interest rate applied to those funds can be adjusted only by way of a new statutory rule, which can take between eight to 12 weeks to become operational. Funds are held in accounts that earn interest in accordance with the Bank of England base rates. The difference between the base rate and CFO rates can, therefore, lead either to a surplus or a deficit on the accounts. Although the CFO can recover any deficit from the Consolidated Fund protecting the funds held for individuals, it is preferable to adjust the rates as soon as possible. The proposed provision will allow CFO to react quickly to changes in the Bank of England base rate and is in line with practice in England and Wales.

Clause 4 amends the Housing (Northern Ireland) Order 1981 to provide the Housing Executive with statutory power to charge for its administration and transaction costs associated with general discretionary land transactions. Under article 88 of the Housing (Northern Ireland) Order 1981, the Northern Ireland Housing Executive has statutory authority to dispose of any land held by it that is not required for social housing. Many of those parcels of land are small inconsequential sites with limited market value and are often sold to the owners of adjacent houses or are sites for development as garden extensions, garages or informal open spaces. For each piece of land sold, the Northern Ireland Housing Executive incurs administration and transaction costs but does not have the specific statutory authority to charge the purchaser for those costs. That often means that, in the current economic climate, the Northern Ireland Housing Executive and, therefore, the public purse, are effectively making a loss on many of the small parcels of land that it sells, especially those sold by private treaty. Clause 4 seeks authority, along the lines of section 93 of the Local Government Act 2003, to charge for discretionary services.

Clause 5 amends article 4(d) of the Audit and Accountability (Northern Ireland) Order 2003 in line with the corresponding reference in the Health and Social Care (Reform) Act (Northern Ireland) 2009. The clause will update the definition of a relevant NHS body for the purposes of the Comptroller and Auditor General's data-matching powers. The current position is that, because of the change in definitions, the C&AG, although able to request patient data from Northern Ireland health bodies for a data-matching exercise, can no longer disclose the results. That effectively means that patient data cannot be used in data-matching exercises for the purpose of assisting in the prevention and detection of fraud.

The sixth and final clause establishes the Police Rehabilitation and Retraining Trust (PRRT) and the Northern Ireland Police Fund (NIPF) as statutory bodies. Establishing those organisations in legislation is purely a technical amendment consequential to their transfer from the Northern Ireland Office under the devolution of policing and justice and is necessary to provide a proper legal authority for the Department of Justice to fund them. The matter has been discussed with my Department and the Northern Ireland Audit Office and, in keeping with other arm's-length bodies, it is agreed that a statutory basis for both organisations is required.

In short, Mr Speaker, the Bill provides for a number of routine financial provisions, and I commend it to the Assembly.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for explaining the general principles of this exciting legislation. The Committee recognises that its purpose is to deal with routine financial matters such as minor amendments to governing legislation or regularising an existing practice. It also understands that the legislation is normally required at intervals of every two or three years to adjust statutory limits and handle other routine financial issues, and it is regarded as semi-routine. In that regard, the Department explained that it occasionally surveys Departments, the Audit Office and other bodies to identify any finance-related legislation that needs to be updated or amended, and it gathers those small amendments into a single Bill.

The Department indicated its intention to compile a draft Financial Provisions Bill during 2012, but, due to a reprioritising of the Department's legislative programme, that was delayed. A total of six items were considered suitable for inclusion in the Bill, and the Minister referred to them.

At the Committee's meeting on 22 May 2013, members agreed to seek initial comments from the relevant Assembly Committees about the Bill's applicable provisions. We also wrote to the Department to request clarification on whether powers to access Harbour Commissioners' reserves will be provided for in the Bill. It was since clarified that that has already been delegated to the Budget review group.

The Committee received a pre-introductory policy briefing from departmental officials on the background to the Bill and the approach that was taken when consulting with other Departments. By that time, the Committee for Social Development and the Public Accounts Committee had indicated that they were generally content with the Bill proposals at that stage. Members agreed during that meeting to seek clarification from the Department about any amendments that may be tabled to the Bill.

The Committee further agreed to highlight a number of pertinent issues to the Justice, Regional Development and Social Development Committees. Since the policy briefing, the Committee has received notification from the Department that the Minister intends to bring forward two amendments to the Bill at Consideration Stage, both relating to rating legislation. Although the Committee is still to receive an oral briefing on the details of those amendments, I understand that one is technical in nature and will clarify current provision of the ability of Land and Property Services to request effective dates for occupation. The second amendment will seek to extend the current discount that is allowed for early payment of rates for occupied and unoccupied dwellings.

The Committee looks forward to a briefing in early September from departmental officials on the substance of those amendments, and it will scrutinise them accordingly, subject to the Bill's being referred to Committee Stage today. The Committee has also been advised by the Agriculture Committee that it has considered correspondence from DARD on the rationale for including the relevant provisions in the Bill. The Agriculture

Committee indicated that it is content that the provisions be included.

Overall, the Finance Committee was generally satisfied with the briefing and clarification that the Department provided, and members will further engage with officials and other stakeholders on the details of the Bill during Committee Stage. In the meantime, I support the principles of the Bill.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Thank you very much, Mr Speaker. There is a quotation from Shakespeare, which, I think, comes from 'Hamlet':

*"More honour'd in the breach than the observance."*

The Bill is probably more interesting for what is excluded from it rather than for what it includes. What the Chairman said sparked off an observation, which is that one item that is missing from the Bill, and which I expected at one time might have formed part of a Bill, is the £40 million from the Harbour Commissioners, which was to be a contribution to the budgetary position. After that announcement had been made, it was realised that legislation would be necessary to release that money, and I expected that arrangements would be made. Subsequently, it emerged that legislation was not being brought forward and that an arrangement had been made between DRD and the Harbour Commissioners that industrial space would be made available to Invest NI in the harbour area. I am not quite sure of the value of the space that has been made available and whether it matches up to the £40 million. So, I would be interested to hear from the Minister whether he agrees that this is an important revenue-raising asset that should be brought within the Executive's control through DRD and whether he will consider it for inclusion in a future financial provisions Bill.

**Mr Cree:** The Minister has set the scene fairly well, but it is good to see that these miscellaneous pieces of legislation are being regularised in such a Bill. As the Minister said, the Bill is largely technical in nature and deals with routine matters, and I think that it is non-controversial.

I understand that a Bill of this nature is usually brought forward every two or three years, with the last coming into effect on 15 December 2009. I also understand that the Bill was due to come forward during last year. However, as happens all too frequently in some Departments, we were faced with a delay. I am pleased that we have got to the stage at which the Bill is before the House.

The legislation that we are considering today includes a number of provisions, which the Minister outlined. All are considered to be non-contentious. With your permission, Mr Speaker, I will mention a few issues. First, I welcome clause 6, which will allow the Northern Ireland Police Fund and the Police Rehabilitation and Retraining Trust to have a statutory footing. The police fund was created to help injured officers — serving and retired — and their families, as well as police widows. The Police Rehabilitation and Retraining Trust is an organisation to look after ex-RUC officers. It provides retraining in trade, as well as psychological and physiotherapy backup and rehabilitation. It is therefore vital that the Department of Justice have the statutory power to fund both those organisations in the essential work that they do.

Secondly, I want to deal directly with the issue of empowering the Housing Executive to charge the

purchaser of land from it for any administration and transition costs relating to that sale. I would be grateful if the Minister can give some overview of the administration and transaction costs that the Housing Executive currently bears, in order to gain some sense of how that provision will affect its budget.

Finally, I welcome the fact that there will be consistency between accounts and audits of the Health and Social Care bodies, as outlined in clause 5. That is necessary to enable the Comptroller and Auditor General to carry out the required scrutiny and accountability function. It also facilitates ease of reference with the rest of the United Kingdom. The Committee will of course be looking at those issues in further detail, as well as at the other measures in the Bill, in due course.

**Mr Wilson:** I thank all the Members who took the opportunity to make their contributions in this short debate today. Obviously, as the Bill moves on — if it passes its Second Stage, which I have no doubt it will — it will go to the Committee for further scrutiny.

The Committee Chairman raised an issue about the amendments to the Rates Order and the reasons for those. We want to make two changes to the Rates Order. The first concerns early payment discount for empty homes. The current legislation does not provide for that, and Members will know that where early payment is made, a 4% discount is available. The purpose of the amendment would be to enable that discount to be extended to those who have empty homes and are paying rates on them. We estimate that around 18% of people who own empty homes will take up the discount, and the cost to the overall rate income will be about £250,000.

*(Mr Deputy Speaker [Mr Dallat] in the Chair)*

The second change is to require additional information about ownership. As the legislation stands, occupiers are held liable for rates. We need to be aware of when there has been a change in circumstances. The current legislation empowers the Department to require information from owners and occupiers for the purpose of determining their liability in accessing the rate, but the important thing is that those requirements do not include the dates of an ownership change. Of course, the Department and LPS have found it increasingly difficult to get information on that and to establish when liability starts for some dwellings. The purpose of the change will be to require, as part of the information supplied to LPS, any information about the specific date on which a person's interest in the property has begun.

## 2.00 pm

Mr Cree raised the issue of the power for the Housing Executive to charge for the legal and administrative costs, etc, of the transfer of small parcels of land. That is one issue about which, I have got to say, I have some concern. I hope that the Committee will drill down into it.

As I said in my speech, the Housing Executive currently sells small parcels of land quite frequently. I am sure that many in the Chamber have had occasions when someone has come to us and said that people are dumping on the bit of ground beside their house all the time; that youngsters are playing on it and breaking down a hedge; or that it has become a bit of an eyesore and is not being



looked after properly. The person will say that they would like to take that bit of ground into the curtilage of their house, as part of the garden, or that they could build a garage or shed on it, for example. Those transactions are quite common for the Housing Executive. In 2010-11, it actually sold 108 such parcels of land. The transactions are usually fairly small in monetary terms; around £1,500 on average per piece of land sold. However, the transaction costs, which, at present, the Housing Executive bears and does not pass on to the purchaser, usually, amount to around £2,500.

The question that I would ask is whether those transaction costs are unrealistically high. Is that amount of administration necessary? Is it cost effective? Is it being done in the most cost-effective way? If there is a cost for the sale of land, of course, the person who wants to purchase the land ought to pay it. It should not be borne by the Housing Executive. In the future, that would be the result of that provision. I have asked whether it is a realistic cost or whether it is over-inflated and that overheads are far too high, and whether something be done to bring them down.

The Member asked what the implication would be. That is the implication: it would more than double the average price of a piece of land sold by the Housing Executive to a private individual. It is something that I hope will be examined when the Bill goes through.

I thank the Committee Chairman for his remarks and Members for the interest that they have taken. I trust that the Assembly will pass the Bill's Second Stage, so that it can go to the Committee for further scrutiny.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Financial Provisions Bill [NIA 22/11-15] be agreed.*

**Mr Deputy Speaker:** Before we move on, I have been asked to point out that the clock at the back of the Chamber is five minutes slow, which, I am sure, is no reflection on Members.

## **Pensions Bill: Legislative Consent Motion**

**Mr McCausland (The Minister for Social Development):** I beg to move

*That this Assembly endorses the principle of the extension to Northern Ireland of clause 41 of the Pensions Bill, as introduced in the House of Commons on 9 May 2013, relating to the preparation of guidance for pensions illustrations.*

The Westminster Pensions Bill, which is currently before the House of Commons, provides for the introduction of a single-tier state pension and consequential matters; the acceleration of the increase in state pension age to 67; the introduction of a bereavement support payment; and miscellaneous changes in respect of private pensions.

Whilst not directly related to today's motion, subject to Executive approval, I anticipate bringing forward an Assembly Pensions Bill in due course. I am sure that we can look forward to some interesting debates, but that is for the future. Today, I am seeking the Assembly's agreement specifically to extend to Northern Ireland clause 41 of the Westminster Bill, which relates to the preparation of guidance for pensions illustrations. That measure requires the approval of the Assembly, as it affects matters that fall within the transferred field.

Perhaps it would be helpful if I explain the background to the provision. Defined contribution pensions schemes must provide scheme members with an annual pensions projection known as a statutory money purchase illustration. In doing so, they are required by law to comply with technical guidance issued by the Financial Reporting Council. Under the Companies (Audit, Investigations and Community Enterprise) Act 2004, regulatory functions of the Financial Reporting Council are exempt from liability for damages arising from those activities. That provision is of UK extent. The understanding was that the technical guidance on statutory money purchase illustrations was caught within that exemption under the umbrella of "actuarial standards" work. However, doubts have arisen as to whether the technical guidance is caught by that term.

Clause 41 puts the matter beyond doubt by specifically including the issue of guidance for pensions illustrations in section 16 of the 2004 Act. The amendment comes into force two months after Royal Assent to the Westminster Bill, and it is important that the law in relation to the Financial Reporting Council's functions is clarified as soon as possible. Clause 41, therefore, proposes a minor technical change to clarify the current law. It does not represent a policy change and does not alter how the statutory money purchase illustrations operate or the council's function in relation to them.

In conclusion, this is not a policy change. It merely clarifies the existing law in relation to a UK-wide body — the Financial Reporting Council. Extending clause 41 to Northern Ireland allows us to achieve legal certainty with the minimum of delay on this somewhat technical issue.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. First, I thank the Minister for bringing this legislative consent motion to the Assembly. The Minister outlined that this is essentially a technical provision and is designed to clarify the law, as opposed

to changing any substantive policy issue, by extending to here an amendment to clause 41 of the Pensions Bill.

The Committee was briefed by the Department and informed that the Financial Reporting Council issues guidance relating to annual pension projections, which are provided to members of defined pension contribution pension schemes. Under existing legislation, the regulatory activities of the Financial Reporting Council are exempt from liability from damages arising from those activities. The Committee was informed that there are some doubts as to whether that guidance is caught under the term “actuarial guidance” and therefore covered by the exemption. The legislative consent motion will provide clarification on that issue and put it beyond doubt.

The Committee recognises that that should be clarified as soon as possible, and the Pensions Bill offers the earliest opportunity to do that. On that basis, the Committee recommends that the Assembly endorse the legislative consent motion.

**Mr McCausland:** I thank the Chair of the Social Development Committee for his contribution. Clause 41 will clarify the legislation relating to guidance for pension illustrations and will help to ensure that the important work carried out by the Financial Reporting Council continues as intended. I believe that it is in everyone’s interest that the law across the United Kingdom is clarified without delay.

I commend the motion to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of clause 41 of the Pensions Bill, as introduced in the House of Commons on 9 May 2013, relating to the preparation of guidance for pensions illustrations.*

## **Mesothelioma Bill: Legislative Consent Motion**

**Mr McCausland (The Minister for Social Development):**  
I beg to move:

*That this Assembly endorses the principle of the extension to Northern Ireland of the Mesothelioma Bill.*

The Mesothelioma Bill was introduced at Westminster on 9 May 2013. The Bill addresses an issue that has affected and will continue to affect many people here in Northern Ireland, many of whom are known to Members of this House. Diffuse mesothelioma is a devastating disease that is caused almost exclusively by exposure to asbestos, usually in the course of employment. Each year, around 2,400 people die from mesothelioma across the United Kingdom, and the numbers are expected to peak in the next five years. There are around 40 deaths a year from diffuse mesothelioma in Northern Ireland. At its core, the Mesothelioma Bill is about ensuring that financial help and support gets to those who need it most and who otherwise would not have any access to civil compensation. It aims to avoid the delays associated with tracing a liable employer, and will mean that sufferers will receive payments as quickly as possible at a time when they most need it.

The Bill makes provision for the diffuse mesothelioma payment scheme, which was announced by the Westminster Government on 25 July 2012 in their response to consultation by the Department for Work and Pensions on supporting people who need to trace employers’ liability insurance. By way of background, under the Employers’ Liability (Compulsory Insurance) Act 1969, most employers carrying on business in Great Britain are required to insure their liability to their employees for bodily injury or disease sustained in the course of their employment. Corresponding provision is made for Northern Ireland in the Employer’s Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972.

In the case of employer negligence, the majority of individuals are able to make a claim for injury or disease against their current or former employer, or, where their employer no longer exists, they can claim against the relevant employer’s liability insurer. However, in the case of diffuse mesothelioma, the disease may not appear until decades after exposure to the asbestos but, once diagnosed, it is rapidly terminal. Sufferers rarely live more than two years after diagnosis and there is no known cure. By the time of diagnosis, a person’s employer may have ceased trading or the relevant insurance records may have been lost or destroyed. In these circumstances, the individuals concerned may be unable to recover compensation.

At present, it can take up to two years from someone being diagnosed with mesothelioma to receiving compensation. All too often, people with mesothelioma have died or are in the advanced stages of the disease before any payment is made.

The Mesothelioma Bill was introduced to address the issue of those who were negligently exposed by their employer to asbestos and were diagnosed with diffuse mesothelioma on or after 25 July 2012 but are unable to recover compensation.

The Bill makes provision for the establishment of a scheme to make payments to people with diffuse mesothelioma

and dependants of people who have died from this disease before they could make an application to the scheme. The payment scheme is to be funded by a levy on insurance companies that are authorised to provide employers' liability insurance. The amount of the levy to be paid by each insurer will be determined by reference to the insurer's market share during the relevant period. The Bill also provides for the establishment of a technical committee to decide disputes about whether an employer maintained employers' liability insurance with an insurer at a particular time.

Regulation of financial services, such as insurance companies, is a matter that lies outside the legislative competence of the Assembly, and it is appropriate for Westminster to legislate in that area. However, the rights and duties of employers and employees are devolved matters, which means that the Mesothelioma Bill cannot apply to Northern Ireland unless the Assembly gives its consent. I am therefore seeking the Assembly's agreement to the extension of the Bill, and thereby the payment scheme, to Northern Ireland.

I can reassure members that the Bill has no significant financial implications for Northern Ireland as the cost of the scheme will be met by insurance companies required to contribute to the levy. This will involve a small number of major national and international insurers, and I understand that the scheme is unlikely to have any financial impact on any local businesses.

## 2.15 pm

In summary, I welcome the introduction of the Mesothelioma Bill at Westminster and the fact that it will be extended to Northern Ireland. It is essential that people here who are suffering from diffuse mesothelioma and their dependants are in a position to avail themselves of the benefits provided by the diffuse mesothelioma payment scheme.

**Mr Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for bringing the legislative consent motion (LCM) to the Assembly this afternoon.

The introduction of the LCM will ensure that people here who have been diagnosed with mesothelioma do not lose out on a beneficial scheme that will speed up the delivery of compensation payments. Although broadly endorsing the LCM, the Committee wishes to express concern that, if a person has been diagnosed with mesothelioma and is in receipt of benefits as a result of that diagnosis, the benefit that has been paid is subsequently deducted from the lump sum compensation payment. The Committee has raised that concern with the Department, and it acknowledges that, because it is the aim to speed up the delivery of the lump sum compensation payment, the actual deductions should not be that great. However, the Committee felt that, as a point of principle, given that that does not happen with other compensation payments, it needed to note that and inform the House.

Fundamentally, the Committee welcomes the introduction of the LCM as, due to the nature of the disease, which the Minister outlined graphically earlier, the prognosis for sufferers is not good. It is, therefore, vital that compensation payments are made as quickly as possible following any claim application. The Committee sees the

introduction of the LCM as a positive development that will offer some positive outcome to those diagnosed with mesothelioma and their families in what would, inevitably, be a very difficult and traumatic time. With that, on behalf of the Committee, I recommend that the Assembly endorses this legislative consent motion.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I speak not as the Deputy Chairperson of the Committee for Social Development but as an MLA for Newry and Armagh. I, too, welcome the Mesothelioma Bill. It is good that people who suffer from that horrendous disease have finally received recognition.

Reiterating what the Chair said, I, too, have reservations about the fact that benefit will be deducted from compensation for people who received that benefit as a result of suffering from the disease, obviously through no fault of their own. Going back to compensation recovery for other conditions and accidents, that is not the case because, essentially, the compensation has been raised to take into account the fact that benefits have been paid for the particular condition or accident. Unfortunately, in this case, that has not happened. Although we have been told that it will affect only a relatively small number of people here in the North, the fact is that it is a general principle that should not really be applied. We had a presentation in the Senate Chamber last week around all this. I could not get a particularly satisfactory explanation from the people involved, but they said that they would take it back to Westminster and look at it. It is unfair, and I just wanted to put that on record.

**Mr McCausland:** I thank the two Members for their contributions to the debate. I thank the Chair for his general support for the legislative consent motion. With the one qualification, I think that there is broad agreement across the Chamber for the proposal to extend the Mesothelioma Bill to Northern Ireland. It is vital that local people are not excluded from the benefits of the legislation.

I acknowledge the concern about the potential recovery of social security benefits from scheme payments. I understand, from what the Member said that officials said, that it is something that they will take away and look at. It may well be the case that it is something that we are bound by. Nevertheless, it is important that we move ahead with this. The scheme will ensure that sufferers who are unable to trace a solvent employer or insurer can have access to a range of support, including access to compensation.

That is, without doubt, a better situation for those suffering from mesothelioma than not having access to the scheme or any civil compensation. Under the new scheme, it is expected that around 300 people a year from across the United Kingdom could receive an average payment of approximately £100,000 each.

I want to offer some reassurance to Members about the recovery of benefits from scheme payments that only those benefits that are paid directly because of and relating to the diagnosis of mesothelioma can be recouped. It is envisaged that, in practice, there will be a very limited period between the date of diagnosis of diffuse mesothelioma, when an individual would be able to claim relevant benefits, and that individual being able to receive payment under the scheme.

As I said, payments from the proposed scheme should be made much more quickly than the current 16 months

to two years it takes for a legal claim to be settled. Under the scheme, it is envisaged that sufferers will usually receive payments within three to five months of making a claim. So, the amount of any relevant benefit paid from the date of diagnosis until the time that a scheme payment is made is likely to be very small. Therefore, it is unlikely that any significant contribution would ever be made from a compensation payment.

I thank Members for their support and seek approval for the legislative consent motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the Mesothelioma Bill.*

## **Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013**

**Mr Deputy Speaker:** Minister, I might have to interrupt proceedings for Question Time. However, that depends on you.

**Mr Attwood (The Minister of the Environment):** I will keep you guessing, Mr Deputy Speaker. I beg to move

*That the draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 be approved.*

The regulations are made under sections 15 to 17 and section 24 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, which stipulates that they must be laid in draft form and approved by a resolution of the Assembly. The purpose of the draft regulations is to require existing councils to work together to establish statutory transition committees (STCs), which will be bodies corporate for the new local government districts. Let me make it very clear: moving to STCs was a very strong view at a political level within and outside the Chamber. It is an example of creating certainty and deepening political authority in the rundown to the review of public administration (RPA), which is only 700 days away.

The regulations will require statutory transition committees to hold their first meetings within 35 days of the date on which the regulations come into operation, which is anticipated to be this week. Each committee will be permitted to have up to 16 members, with equal representation from their predecessor councils. That means that the STCs should meet in and around and no later than 7 August.

There are exceptions about the make-up of the STCs. The STC for the new district of Causeway Coast and Glens will have up to 20 members, given that four councils are merging, and the STC for the new district of Belfast will have no more than 25 councillors, given the size of the Belfast district. Belfast will be joined by two councillors each from Castlereagh Borough Council and Lisburn City Council, since parts of their council districts are joining Belfast. With the exception of Belfast, all statutory transition committees will contain equal representation from each of the constituent councils. Under guidance, it was decided that the councillors who are joining the Belfast STC from the two sister councils will have to be drawn from areas that are moving into the Belfast City Council area.

Membership of the statutory transition committees should proportionately reflect the political composition of the existing councils. At stakeholder events earlier this year, it was agreed that to specify and strictly apply the methods to be used to achieve proportionality could disadvantage smaller parties and upset the balance that was achieved in voluntary transition committees (VTCs). Therefore, I have decided that, to maintain and allow maximum flexibility, no particular method of selection will be prescribed. However, the Department will recommend in guidance, as it did with the VTCs, that STCs should use d'Hondt, Sainte-Laguë or single transferable vote (STV) mechanisms, with d'Hondt as the default position. That approach is in line with the mechanisms that are set out in the draft Local Government (Reorganisation) Bill. However, if a council wishes to

embed a system of proportionality that has a higher threshold and goes further than any of the models that are outlined in the guidance, they can do so with the approval of the Department. One VTC and two councils wish to go there.

The draft regulations provide for the election of a chair and vice-chair. Guidance will state that the presumption is that those roles will rotate. However, an STC may appoint a chair and vice-chair for the duration if they choose to do so. The chair will have a casting vote in the event of a tie, but not when it comes to the appointment of staff. Provision has been made in the regulations for an existing council to pay a member of the STC an allowance for work done on behalf of the Committee. The amount will not exceed £2,700 per annum. Councils will have to decide whether that amount is justified. In my view, it will be.

The draft regulations require predecessor councils to provide a statutory transition committee with premises and facilities, including administrative staff, and to meet reasonable costs incurred by the STC. Costs will be split between predecessor councils in proportion to the number of members that each nominates to the STC. The draft regulations will require the STC to gather information and consider and advise on matters relevant to ensuring that the new council will be able to adapt its full range of powers and functions from 1 April 2015.

The Department has already provided the sector with a list of specific tasks that STCs will need to undertake. That will be supported by guidance, but the crucial tasks, which are already set out in the regulations, include preparing a draft corporate and business plan and a draft budget for agreement of the new council; publishing its corporate and business plan; agreeing with the predecessor councils a budget for the operation of the committee; and arranging the first meeting of the new council.

I come now to the issue that has so far attracted most attention. In the statutory phase, transition committees will be required to arrange the appointment of chief executives to lead the change management process and drive convergence. Though the STCs are short-term bodies, the newly appointed chief executives will transfer to lead the new councils once they are constituted. My preference — I stress again that it is a view widely shared in the Chamber and across the councils and voluntary transition committees — is for those chief executives to be appointed by open and full competition. The draft regulations place a duty on the STC to appoint a chief executive to the new council on the basis of fair and open competition. I believe in that point very strongly. I believe that there is very wide public and political endorsement for it. I hope that, while respecting the interests of all staff, including the chief executives and all the representative bodies, this opportunity to shape councils with new chief executives, whether they come from councils or from outside the councils, will be grasped by all.

It must be remembered that the 11 chief executive posts are not broadly comparable with the existing 26 chief executive posts. The new councils will cover geographically larger areas, serve a bigger population and deliver significant new functions. That latter point is very important. The new chief executives will preside over councils with new powers and duties that include spatial planning, regeneration, community planning and the general power of competence. Councils will also operate

within a new governance framework. Therefore, the job specification of a new chief executive will clearly reflect that growth and the changes and challenges inherent in the job of creating and building a new organisation, successfully managing the transition from old to new, and managing the transformation on into creating stability and excellence in a new council.

It is my intention that the process for the appointment of chief executives to STCs should follow the current process and the Staff Commission's code of procedures as far as is practical. I want to stress that point. The Staff Commission will still have its statutory oversight and a joint Department of the Environment/Staff Commission working group is, by following existing procedures and the statutory code as far as is practical, developing the right model to get the right outcome on the right side of the law and the right side of everybody's interests as far as is practical.

At present, most councils delegate the power of appointment of chief executives to an interview panel comprising the council chair, representatives from the Staff Commission, independent observers and between four and seven members of the council. Only elected members have voting rights on the panel, and they make the decision on behalf of the full council. However, in several councils, the decision of elected members is then put to full council for ratification. That is common practice in other jurisdictions. My officials are working with the Staff Commission to design a bespoke process based on the existing model. As a body corporate, an STC may appoint other staff to the new council for its district as it deems appropriate. I am sure that there will be a question on that shortly.

The draft regulations will also require councils to provide information to STCs and will require STCs —

## 2.30 pm

**Mr Deputy Speaker:** Order. I have to interrupt the Minister because it is time for questions to the First Minister and deputy First Minister.

# Oral Answers to Questions

## Office of the First Minister and deputy First Minister

**Mr Deputy Speaker:** Question 2 has been withdrawn and will require a written answer.

### G8 Summit

1. **Mr Byrne** asked the First Minister and deputy First Minister for their assessment of the impact of the G8 summit 2013. (AQO 4413/11-15)

4. **Mr Campbell** asked the First Minister and deputy First Minister for their assessment of the potential for inward investment from the members of the G8, following the recent summit. (AQO 4416/11-15)

13. **Mr F McCann** asked the First Minister and deputy First Minister what their expectations are from the proposed G8 investment conference. (AQO 4425/11-15)

**Mr M McGuinness (The deputy First Minister):** With your permission, Mr Deputy Speaker, I would like to answer questions 1, 4 and 13 together. Again with your permission, I might need some extra time to answer all three questions.

The G8 summit was a tremendous success for us because it generated very significant positive international coverage. We had eight of the world's leaders here, plus the presidents of the institutions of the European Union and leaders from other influential countries and organisations. The First Minister and I were able to engage with them directly to welcome them here and to discuss a number of our priorities, as well as how we might engage with those countries to progress those priorities. We spent time at Lough Erne speaking directly to the G8 leaders about a number of economic, trade and investment issues. We also discussed how we could maximise our science and technology expertise internationally and how we could contribute to stabilisation in areas through sharing our conflict resolution experience. We have been following up on those issues, and we are already seeing the benefits, with the G8 countries and others agreeing to participate in an economic conference later this year.

The G8 has enabled us to raise our profile internationally in a positive way. The world's media were able to see and report at first hand the infrastructure that we have that supports investment and the products and services that our companies can offer to other countries. Everyone who saw the TV and newspaper coverage of the events at Enniskillen will know that the surroundings, the countryside and even the weather were at their best. That will greatly help our international tourism message around the world.

We have all worked hard to ensure that a very positive image has been created internationally. We have made contacts and have discussed practical initiatives for the future that will provide long-term benefits. We now need to capitalise on that and to build a legacy that will increase our exports, bring in investment, enhance our technical skills and bring more people to visit us here. We have made many friends internationally, and we need to maintain and develop those friendships.

I commend those campaigners who took part in the various protests throughout the North. We saw the first peaceful G8 happen here, and that sends a very positive message. I pay tribute to all those who were involved in the preparation and successful planning of the G8 event. Although some costs were associated with hosting this world event, the benefits will be greater in the medium and longer term.

We need to continue to tell our story internationally of how we have managed the transition from conflict to peace. The G8 gave us an opportunity to tell those leaders that we intend to continue to take our community forward in a peaceful and united way.

**Mr Byrne:** I thank the deputy First Minister for his answer. What legacy in the form of economic and tourism benefits does he expect will result in Northern Ireland in the future?

**Mr M McGuinness:** First, it has to be said — given the history of where we have lived over many decades — that this was a real opportunity to tell the international community how the situation here has been transformed. Of course, one of the features of our Programmes for Government over the time of the previous Assembly and this one is that we have been proclaiming to the world that we are open for business. I think that that is hugely important. The world has seen at first hand how open we are for business through the success of the G8 summit. The fact that it was peaceful sends a hugely important message to the world about how the situation here has been transformed.

The legacy is that there are all sorts of opportunities, not least in the tourism industry. We could not pay for the airtime that we received and the international coverage that we saw, given the cost of promoting tourism here in other countries. Sending the message that we are open for business gives those who are considering foreign direct investment in this part of the world an opportunity to come here and look at what we have to offer. At the end of the G8, the Japanese Prime Minister came to Belfast and announced the creation of over 400 jobs in Larne at a medical device company. That shows that there are opportunities out there that we have to seize with both hands.

**Mr Campbell:** I raised this subject last week with the Prime Minister, but can the deputy First Minister indicate the nature of the discussions that will take place with the Prime Minister and the American Administration in the run-up to the investment conference in an effort to make sure that we maximise the opportunities that flow from the success of the G8?

**Mr M McGuinness:** The First Minister and I have had discussions with David Cameron about that. When we met President Obama in Belfast, before his speech at the Waterfront Hall, we took the opportunity to apprise him of the fact that there will be an economic investment conference later this year, and we got a very good reception. There is a clear understanding that we will be supported in a very dynamic way by both Administrations. Given that we were both involved, with others, in an economic investment conference that was sponsored by President Obama and Secretary of State Clinton at the State Department, it is obvious that the US Administration are still very engaged in attracting investment to this part of the world.

I hope that their joint input and the invitations that have been issued to the other Administrations that arrived

here with them will lead to a very dynamic investment conference later this year. I have no doubt whatsoever that a huge effort will be made on our part and that that will be supported by those Administrations.

**Mr Deputy Speaker:** Mr Fra McCann is not in his place.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the deputy First Minister for his answers. One of the big issues for discussion at the G8 was trade, although there were a number of other issues that people wanted to see on the table. Will the deputy First Minister outline whether the trade discussions that took place will have a positive impact for local businesses?

**Mr M McGuinness:** We welcome the launch of talks at the G8 summit to agree a new trade pact between the United States of America and the European Union. After the South of Ireland, the United States is our second largest export market, with £533 million in export sales up to the year ending March 2013. Therefore, any action taken to lower tariffs between the US and the EU can only help us to expand our export market further into the United States.

We recognise that, as it becomes freer and much more open, the global economy must benefit developed and developing nations alike. Trade must not be one nation's success at the expense of another's failure. That can happen only with fair and consistent rules being properly enforced.

To increase our export sales to developing nations, reduced border bureaucracy, improved infrastructure and less protectionism will be necessary. That requires buy-in from the Governments, businesses and civil society on the importance of free trade.

**Mr McCarthy:** Does the deputy First Minister agree that it was more than coincidental that, after returning home from Northern Ireland, the leaders of the world decided that it would be better to talk to the Taliban, thus saving lives in Afghanistan?

**Mr M McGuinness:** Far be it from me to involve myself in US foreign policy, but given that we have been receiving reports over the past three years that indirect conversations have been taking place between the US Administration and the Taliban, I find it encouraging that direct talks appear to be on the horizon in the not-too-distant future. Anything that is being done to resolve conflict anywhere in the world will always be welcomed by us. Indeed, we are much in demand because many representatives from all parties in the Assembly have travelled to many of the world's trouble spots at the invitation of others. From my perspective, the engagement is a positive development. The hope has to be that it leads to an end to conflict, violence and death.

**Mr Deputy Speaker:** Question 2 has been withdrawn.

## Magdalene Laundries

3. **Ms McGahan** asked the First Minister and deputy First Minister when they expect to receive a report from the senior official who is examining Magdalene laundry-type institutions. (AQO 4415/11-15)

**Mr M McGuinness:** With your permission, Mr Deputy Speaker, I will ask junior Minister Jennifer McCann to answer the question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** As the Member will be aware, the publication of McAleese report into the Magdalene laundries raised questions about the system of Magdalene laundries here and about the situations and experiences of the women who lived in them. In light of that report and representations made to us, we appointed a senior civil servant to draw up a scoping paper on Magdalene laundry-type institutions that operated here so as to inform us of potential actions we might be able to take. We received that report at the end of last week, and we intend to give serious consideration to the options that have been laid out. It is too early at this stage to state whether the options are exhaustive, but we will consider the advice and options in the paper very carefully before deciding the way forward.

Under the terms of reference of the historical institutional abuse inquiry, any woman who entered a laundry before she was 18 may contribute to the inquiry, including recounting their childhood experiences to the inquiry's acknowledgement forum. However, we recognise that there are women who were over the age of 18 when they entered Magdalene laundry-type institutions, and there is a need to provide them with a forum where their issues can be addressed and their experiences acknowledged.

We are appalled to think that women in laundries here could have endured the same harsh conditions and callous treatment as that documented by Senator McAleese. Our thoughts and sympathies are with any women who suffered in such institutions.

**Ms McGahan:** Go raibh maith agat. In light of the compensation scheme announced by the Government in the South, what plans do the Executive have to make a similar scheme here?

**Ms J McCann:** In light of the answer that I have just given, it would be a bit premature to outline plans before we look at the suggestions in the scoping report. We have just received that report, and we are very mindful, as I said, of the callous treatment of the people who were in those types of institutions. Indeed, junior Minister Bell and I met some of those victims and survivors, and the stories that they told were horrendous. We do not want to rush to judgement. Once we read the report, we will give very careful thought to the recommendations that the scoping exercise has brought forward.

**Mr Deputy Speaker:** Question 4 has already been answered.

## Age Discrimination: Goods, Facilities and Services

5. **Ms S Ramsey** asked the First Minister and deputy First Minister what advice they have received from the Equality Commission about age discrimination legislation on the provision of goods, facilities and services. (AQO 4417/11-15)

**Mr M McGuinness:** With your permission, Mr Deputy Speaker, I will ask junior Minister Jennifer McCann to answer the question.

**Ms J McCann:** The Equality Commission has sent us a report entitled 'Protecting children and young people against unlawful age discrimination in the provision of goods and services'. The report was jointly prepared

by the Equality Commission and the Commissioner for Children and Young People. We appreciate that the report has been brought to our attention. It is a detailed piece of work and a thoughtful contribution to the debate. We look forward to studying it more closely and discussing it with the Equality Commission and the Commissioner for Children and Young People.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the junior Minister for her answer. I appreciate that the Equality Commission and the Children's Commissioner have sent the report, and that you have said that it is detailed. Can you give us any indication of anything in the report that states that there should be exceptions within the scope of the proposed legislation?

**Ms J McCann:** The Member will be aware that we made a commitment in the Programme for Government to extend age discrimination legislation in relation to goods, facilities and services. I think that the report states that it is not always appropriate for children and young people to be treated in the same way as adults. However, there is no basis for not providing legislative and enforceable rights.

Some examples of where we would say that children should be treated differently are, for instance, common sense issues around the sale of alcohol and marriage. The report very clearly says that only when a social policy objective is being pursued should that be the case. It recommends that the legislation permits age-based concessions, such as discounts and offers. I know that during the Assembly debate, we had some discussion around that, but a common sense approach needs to be borne in mind. There are some situations in which we have to have differences because of a person's age.

2.45 pm

**Mr Eastwood:** I recognise the fact that this was discussed in Committee with the Ministers last week. I recognise the candour shown by the Ministers around the lack of agreement by the Department on the final scope of the legislation. It was useful to have that candour. Can the Minister tell us when we can expect agreement in the Department around whether the legislation will extend to young people?

**Ms J McCann:** The Member will be aware, as we brought up at the Committee last week, that we are looking at that. We are still considering the scope of the legislation before putting it out for consultation. Many different sectors have given us information on how they would like to see the legislation being brought forward. However, as I said, we are still looking at it. It has moved on and is progressing, and we are hopeful that it will be passed by March 2015, as we said at the Committee last week.

**Mr Kinahan:** I thank the junior Minister for her answers so far. However, she will be aware that the age discrimination legislation is one of many jammed in OFMDFM. Given that we are just about to go into recess, can she give commitments on the publication of the sexual orientation strategy or the racial equality strategy? I know that she has already touched on that, but will she set a date by which time they should be finished?

**Ms J McCann:** All I can say to the Member is that I cannot give a definitive date today. We are progressing on all those issues. The Member will be aware that

there are different views in the sectors and even in this House around all the issues he mentioned. However, we are progressing well on them. We hope that we will have a definitive date. We are very hopeful that the age discrimination legislation is on track for 31 March 2015, but I have no definitive date for the other strategies that the Member mentioned. We are making progress on them.

**Mr Lyttle:** Has any work been done to assess how Australia has extended age discrimination legislation on the provision of goods, facilities and services to all ages?

**Ms J McCann:** As part of the process, we have met, for instance, the Ministers with responsibility for children and young people from the Welsh and Scottish Parliaments and the South of Ireland. We are in constant contact with the Children's Commissioner on this. We are looking at best practice, as should be the case. There are specific areas involving young people, particularly around access to mental health services. We have looked at that in great detail. So there is best practice. We are discussing that with people in different jurisdictions to see how it has rolled out in their areas, and we will continue to do that.

### China: OFMDFM Visit

6. **Mr Ó hOisín** asked the First Minister and deputy First Minister to outline any plans the Executive have to follow up on the recent visit to China. (AQO 4418/11-15)

**Mr M McGuinness:** Our recent mission to China was to strengthen Government-to-Government relationships. We were supported throughout the visit by the Chinese People's Association for Friendship with Foreign Countries, which is responsible for inviting foreign Governments to China. During our meeting with its president, we received an invitation for the Minister of Agriculture and Rural Development to lead a delegation to a Sino-European conference in China later this year.

There is enormous potential for our agrifood sector in China, and this will be an important step towards opening up the market to our products.

The key meeting for us was with Vice-Premier Liu Yandong, who initially invited us to China during her visit here last year. Madam Liu confirmed that China would like to see a strong relationship developing with us and said that we should be more active in promoting trade, tourism, education and technology. Vice-Premier Liu also asked us to consider establishing a presence in China and more formal partnerships with a number of regions there. Establishing a more permanent presence and partnership with regions was also discussed when we met Foreign Affairs Vice-Minister Song Tao. We agreed that we would establish an office in Beijing, and he confirmed that that would be seen as a very positive step in the relationship with China.

We also met Minister Yuan Guiren from the Ministry of Education to encourage more Chinese students to come and study here and to establish more university partnerships to exchange knowledge.

A key focus of our future work with China will be to promote economic opportunities. We met Director General Sun Yongfu at the Ministry of Commerce and discussed a number of issues, including the removal of barriers and bureaucracy in trade, which will lead to economic benefits and jobs. We also invited the Minister to consider bringing potential investors to Belfast later this year. Some of our



local businesspeople who operate in China met us and provided —

**Mr Deputy Speaker:** The Minister's time is up.

**Mr M McGuinness:** — a lot of useful advice.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Will the deputy First Minister confirm that any office in Beijing will be similar to those in Brussels and Washington in delivering increased trade connections?

**Mr M McGuinness:** As I said, it is our desire to open an office in Beijing. We are pursuing that objective very proactively. China is an important and growing export market for our companies, many of which visit China each year with trade delegations organised by Invest NI. In 2010-11, we exported almost £112 million worth of goods to China. That increased to £116 million in 2011-12. Invest NI has had an office in China for many years and is now firmly established in Shanghai. Shanghai was chosen because it has become China's business capital. Invest NI has contracted three full-time advisers, who are based in Shanghai and Taiwan. Their role is to provide bespoke research and advice for our companies and to identify market opportunities.

The commitment to China is evidenced by Invest NI's strategy, which includes two annual trade missions to key business centres such as Shanghai and Hong Kong and other developing cities across China. Over the last six years, 350-plus local companies have participated in the trade visits. As a result of that strategy, that market is worth in excess of £110 million in exports by local companies and is sustaining valuable employment there. Invest NI recently recruited a territory manager for the Asia-Pacific region to place greater emphasis on trade and foreign direct investment. That work continues, and there is no doubt that a determined effort is being made to further develop our relationships in China.

**Mrs D Kelly:** The Minister will be aware of the Confucius Institute and its particular role in helping to build relationships and that the relationship-building process is a real precursor to doing business. What role, if any, do you see for the Confucius Institute in establishing links and helping to build relationships?

**Mr M McGuinness:** The Member is absolutely correct that the relationship with the Hanban/Confucius Institute is vital. When Madam Liu Yandong came to Belfast, she was anxious to visit the Jordanstown campus of the new University of Ulster and see the work that is being done there as a result of the Confucius connections. A critical factor in attracting foreign direct investment is building personal relationships not just between the First Minister and me and the politicians we meet, although that is vital, but at an educational level between Queen's University, the new University of Ulster and the institutes in China. That is true for any region of the world, and we have learnt it through our experience in the United States of America. We know that they are hugely interested in the very large number of Chinese students who are being educated here. However, they are also keenly interested to establish whether an effort has been made in our primary schools to teach our children Chinese. Happily, that is now beginning to happen.

## Economic Pact: Capital Investment

7. **Mr Cree** asked the First Minister and deputy First Minister to outline the agreement on the investment plan to deliver £18 billion of capital funding, announced as part of the economic pact with the Prime Minister. (AQO 4419/11-15)

**Mr M McGuinness:** The economic package 'Building a Prosperous and United Community' was announced on 14 June 2013 and ratified by the Executive on 27 June. The package referenced the government commitment to provide an £18 billion investment package over the period 2005 to 2017. As part of the measures agreed in the economic package, we were able to ensure that the investment agreement was back on course to meet the £18 billion commitment. In May 2007, the then Chancellor, Gordon Brown, made a commitment on behalf of the British Government to an £18 billion long-term investment strategy from 2005 to 2017, and the Executive have been determined to hold the Government to that commitment. The outcome of the 2010 spending review, with the significant capital DEL reductions imposed here, cast much doubt on whether the £18 billion would be achievable. However, the Government have recently prioritised capital investment, and we have benefited and will continue to benefit through the Barnett formula. The additional capital DEL that we have received in recent years, along with the expectation of further increases beyond 2014-15, has meant that we now believe it much more likely that the £18 billion of investment will be achieved by 2017. Our own investment strategy 2011-2021 sets out how we plan to invest some £13.4 billion between 2011 and 2021, of which £8.2 billion is to be invested between 2015-16 and 2020-21. That level of investment was based on the original commitment to provide £18 billion capital investment between 2005 and 2016-17. The announcement will, therefore, enable us to continue to invest in capital projects —

**Mr Deputy Speaker:** The Minister's time is almost up.

**Mr M McGuinness:** — as expected in the investment strategy.

**Mr Cree:** I thank the Minister for his answer. The Minister is aware that a statement should have been made to the House on all the issues involved in the economic pact. Is any strategy in place or being developed on how that capital investment should be focused?

**Mr M McGuinness:** First, the First Minister will make a statement to the Assembly tomorrow on the economic pact.

Our investment strategy is hugely important as we go forward. People here have a clear understanding that this was a huge issue of discord between us and the London Government. In fact, the First Minister and I had, on countless occasions, raised this issue directly with the powers that be in Downing Street, with the British Prime Minister and the Deputy Prime Minister. We have now got it back on track, and it is a good news story, particularly for our construction industry, which has taken a big hit as a result of the world economic downturn in the past number of years. The investment strategy is hugely important for us, and, as we all know, the public expenditure environment has changed dramatically since the 2010 spending review. In recent years, the Government have prioritised capital expenditure, and the Executive have

benefited through the Barnett formula. Following the 2013 Budget, the Executive now have some £367 million of additional capital DEL this year and next year. In addition, the Government have committed to maintaining a higher level of capital investment beyond 2014-15, and, once those higher expected capital budget settlements are taken into account, we are now much more likely to meet the £18 billion deadline by 2017. Indeed, the latest DFP projection suggests capital expenditure at some £17.6 billion by 2017. That will give us considerable flexibility. Major projects have to be taken forward.

3.00 pm

**Mr Deputy Speaker:** The Minister's time is almost up.

**Mr M McGuinness:** We are determined that we shall meet the demands that we have set for ourselves.

## Finance and Personnel

### Fiscal Policy

1. **Mr McMullan** asked the Minister of Finance and Personnel to outline his fiscal policy priorities for addressing current economic challenges. (AQO 4428/11-15)

**Mr Wilson (The Minister of Finance and Personnel):** We have set a number of fiscal priorities. First, we must ensure that we get for Northern Ireland the absolute maximum amount of money in the block grant and that all the consequentials that are due to us come our way. Secondly, where appropriate, we will not only seek additional taxation powers but seek to ensure that Northern Ireland is a low-tax area in the United Kingdom. Thirdly, as we saw with the recent announcement, where additional borrowing powers can be obtained, we will obtain them. Lastly, we must make best use of the resources that we have. That includes making sure that we do not waste money and do not incur penalties — the Chief Secretary to the Treasury has warned us about this — by dragging our heels on some reforms, which will cost the public purse in Northern Ireland substantial amounts of money.

**Mr McMullan:** I thank the Minister for his answer. Are there any moves in his Department towards a more co-ordinated and planned approach to fiscal decision-making and planning?

**Mr Wilson:** That is the whole point of the budgetary exercises that we go through and, indeed, the exercise that we went through this morning. We look at the available resources and seek to ensure that they are allocated in the best possible way. We seek to obtain all the additional revenue that we can through the management of our assets and the sale of assets that are surplus to requirements. When it comes to year-on-year budgets, we look at departmental spend regularly to make sure that, if we are not spending money on certain things, we reallocate that money and ensure that there are no underspends. Thankfully, Departments have managed their budgets very well this year, and, as I said in my earlier statement, we manage it to the point that, if we were somebody on an average wage, our weekly underspend would be 97p. I reckon that that is fairly good management of our available money.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. I notice that, last week, the Minister launched a report by the Northern Ireland Council for Voluntary Action (NICVA) entitled 'Fiscal Powers: A Review of the Fiscal Powers of the Northern Ireland Assembly'. The report concludes that stamp duty, air passenger duty, landfill tax and other taxes could be devolved to Northern Ireland. Will the Minister consider the report's proposals and act on some of them?

**Mr Wilson:** The Executive's position is clear: we will work with the Government as part of the economic pact that was agreed with the First Minister and deputy First Minister to look at other fiscal powers that might be brought to Northern Ireland. We will decide on the basis of whether we believe that those levers will help us to run the economy in Northern Ireland better. As I pointed out in response to the report, we have to be cognisant of three things: the immediate cost; the ongoing cost; and the destabilising effect that additional fiscal powers devolved to the Assembly could have on the money that is available to us. Tax revenue regularly goes up and down. We are sheltered from that because of our reliance on the block grant at present. The more fiscal powers that are devolved to us, the more open we are to those fluctuations and the more difficult it is to plan budgets and to plan spend for the period ahead.

**Mrs Overend:** I thank the Minister for his responses so far, which have been interesting. Does he agree that access to cash remains a major challenge for Northern Ireland businesses? Is he satisfied that the Government's ongoing efforts to get liquidity back into the market are working?

**Mr Wilson:** First, the major source of liquidity for businesses must be the banks. That is why Arlene Foster and I have regular meetings with them to be updated on what is happening to bank lending and to raise issues brought to our attention by various strands and sectors of industry across Northern Ireland. Secondly, we have sought to make finance accessible to businesses. Extra money has been put into loan funds run by the Department of Enterprise, Trade and Investment (DETI) in the spending round that I announced earlier today. Those are important sources of finance for businesses. For one sector of industry — agrifood — I announced today that we will put £10 million into a start-up fund for additional finance for the investment that the sector needs to undertake to expand over the next two or three years. A promise has been made that, if the fund proves popular, we will put more money into it. So we have done our part; the banks need to do theirs. We will keep pressing them to do that.

**Mr Deputy Speaker:** At the outset, I should have said that question 13 has been withdrawn and a written answer is required.

### Defamation Legislation

2. **Mr McCartney** asked the Minister of Finance and Personnel for his assessment of whether the law on defamation needs to be reviewed. (AQO 4429/11-15)

**Mr Wilson:** I have no plans to initiate a review of the law on defamation at present. With the passing of the Defamation Act 2013, there have been a number of far-reaching changes in the law in England and Wales. In my view, it would be prudent to see how those changes work

through before deciding how we want to progress the issue in Northern Ireland.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer and his view. He is aware that the Finance Committee discussed the case of John McAreevey v the 'Irish Daily Mail'. We must avoid just following Westminster legislation. We must strike the right balance for here between freedom of speech and the right to a private life, and we must not allow the gap to be exploited by poor or bad journalism. I am encouraged that the Minister will review the matter and perhaps legislate for here.

**Mr Wilson:** The point that I make to the Member is one recognised by the Minister when the issue was discussed in the House of Lords: it is up to devolved Administrations to look at the situation in their locality and make a decision. A lot has been made about Northern Ireland being out of step with England and Wales, but not all the provisions in the Defamation Act were introduced by the Scottish Administration. They deemed certain things particularly relevant as far as they were concerned and others not as relevant. The Member is right: we ought to look at the situation in our context.

Another point that I would make is this: there is no question of suppressing freedom of speech. Before that Act went through, people were free to express themselves and newspapers were free to carry stories. The idea that, somehow or other, as a result of this Act going through Westminster and us not implementing it, freedom of speech is being suppressed in Northern Ireland is just a lot of nonsense.

**Mr Deputy Speaker:** I encourage Members to keep their questions brief.

**Mr Weir:** Does the Minister feel that the current position or the 2013 Act provides sufficient protection to those who are defamed on social media sites?

**Mr Wilson:** The problem with people being defamed on social media is not so much the lack of powers to go after the people saying these things; it is the enforcement. The Act in England and Wales protects those whose sites are used to make defamatory comments. With social media, there will always be the difficulty of how you enforce the legislation. I do not believe that the changes made in England make that easier anyway.

**Mr A Maginness:** The Minister said that he would not undertake a review just yet. That is, I think, a wise course. However, if a review were to take place, say, in a year or 18 months' time, how does he see that being undertaken?

**Mr Wilson:** First of all, I think that we want to see the impact that the change in the law has in England and Wales. We also want to see the impact that it has on the different situations that are in Northern Ireland and in England and Wales. For example, one of the concerns has been that it could lead to libel tourism. Let us see whether that is the case or whether, as a result of our not being in step with England and Wales, the freedom of the press is much more severely curtailed here in Northern Ireland than it would be in England and Wales. Mr Weir asked whether it was easier for social media-type defamation to occur here in Northern Ireland. The other point was whether it has impacted on investment in Northern Ireland.

I do not believe that to be the case either, but I expect that any review would look at that. So, those are the kind of things that we want to look at in undertaking any review.

**Mr Swann:** At one stage, the Minister considered clause 7 of the Defamation Bill as it went through Westminster, but he was unable to get Executive agreement. Does he still see merit in legislating for those provisions, as regulated in Northern Ireland?

**Mr Wilson:** It is not a question of whether I see merit in legislating. If we are going to have the legislation, it requires Executive agreement. The Member knows that if legislation is to go through, it requires cross-party support in the Assembly. The Executive were unable to get approval for a legislative consent motion for that clause. That is why I believe that it is prudent to look to see what happens in the meantime. Once we have seen the impact of the differing levels of legislation in both jurisdictions, we can make up our minds on the changes that we wish to make.

### Banks: First-time Buyers

3. **Mr Campbell** asked the Minister of Finance and Personnel what discussions he has had with banks regarding making low-deposit mortgages available to first-time buyers. (AQO 4430/11-15)

**Mr Wilson:** In recent times, I have had no direct discussions with banks regarding low-deposit mortgages. However, when we put the extra money into the Co-ownership Housing Association, the Social Development Minister and I met with the banks and pointed out to them that, since 50% of the risk on the price of any of those houses was now being borne by the Co-ownership Housing Association, there was no justification for demanding the 20% deposit. Most of the mortgages — in fact, I think all the mortgages — that are now lent to co-ownership purchases are without any deposit.

I have also spoken recently to the National Asset Management Agency (NAMA) about its 80:20 scheme, whereby people pay 80% of the value of a house, and if the house goes down in value over the next five years, they do not have to pay the other 20% or whatever percentage the price of the house has gone down by. If the price goes up, they do, of course, have to make that payment. I am pleased to say that NAMA is thinking about introducing the scheme that is available in the Irish Republic to the sale of houses on NAMA-owned land in Northern Ireland.

**Mr Campbell:** I am pleased to hear that the Minister has had meetings with NAMA. I know that quite a few people in Northern Ireland would like to do likewise. Given the discussions that he has had, does he have an estimate of the level of demand for affordable homes in Northern Ireland?

**Mr Wilson:** I do not have an estimate of the level of demand. However, I know that the Co-ownership Housing Association is well oversubscribed with applications. One of the reasons why we allocated another £10 million to the Co-ownership Housing Association earlier this morning was because we wanted to try to meet that level of demand. People say, "What has the Assembly done to respond to the housing crisis?". By the end of the Assembly term, as a result of money that we have put into affordable housing schemes, 2,400 families will own a house that they would not normally have been able to

afford or get access to. I think that that is an indication of how seriously we take the issue.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. What discussions has the Minister had with his Executive colleagues on the need to expand loan equity provision?

**3.15 pm**

**Mr Wilson:** The Social Development Minister might make an announcement on that before the end of this Assembly term, but the Executive have made money available to other schemes for affordable housing, which have been introduced in other parts of the United Kingdom and for which we got a Barnett consequential. We have discussed that, but it is up to the Social Development Minister to bring forward proposals and announce them to the Assembly.

**Mr Gardiner:** Does the Minister agree that the Government's new scheme to boost lending to homebuyers with small deposits could push down interest rates significantly?

**Mr Wilson:** The fact of the matter is that we have benefited from it, and I announced that earlier. Interest rates are as low as they are probably going to get. In fact, base rates are close to zero at the moment. That is a result of the ability of the UK Government to give confidence to the financial markets when it comes to the rates at which we are loaned money. As far as low interest on mortgages is concerned, we have sought, through some of the various schemes that we have introduced, to try to make housing more affordable to low-income families, whether that is done through the kind of money that we pump into co-ownership or the Get Britain Building scheme, to which we allocated some money this morning. All those schemes will bring down the cost of housing to individuals.

## Net Fiscal Balance Report

4. **Ms Boyle** asked the Minister of Finance and Personnel to outline the international standards against which the revenue estimates produced in his Department's fiscal balance report are accredited or recognised. (AQO 4431/11-15)

**Mr Wilson:** I am sure that the Member would love me to say that, when it comes to the net fiscal balance report, we pluck the figure out of the air, say, "There it is" and stick it down on paper. That, unfortunately, is the naive view held by Sinn Féin when it comes to the net fiscal balance report, because it does not want to believe that if we were out of the United Kingdom, we would be billions of pounds less well off. However, the figures in the net fiscal balance report come from and follow the same methodology as that used for the Government expenditure and revenue Scotland (GERS) report. Those figures are subject to international standards. There is a code of practice that they are subject to, and, as a result, international standards for the compiling of statistics have to be adhered to. These figures are not made up; they are subject to a degree of rigour and international scrutiny. Therefore, wriggle as it will, Sinn Féin will never be able to make the case that, somehow or other, we owe money to the rest of the United Kingdom rather than we get a positive flow of money from the Treasury to Northern Ireland. Therefore, that is the value of being British and part of the United Kingdom.

**Some Members:** Hear, hear. *[Interruption.]*

**Mr Flanagan:** Resign, resign. *[Laughter.]*

**Mr Deputy Speaker:** Order, please. I will not encourage shouting across the Chamber.

**Ms Boyle:** Go raibh maith agat. I thank the Minister for that very detailed answer. No doubt, he will pre-empt my supplementary question. All of this is a distraction from the simple fact that there is no statement of revenue here in the North. The figures that we have are not comparable to those available in Scotland. Can the Minister outline how and when he plans to provide accurate figures?

**Mr Wilson:** How many times do I have to say it, Mr Deputy Speaker? The figures in the net fiscal balance report use the same methodology as is used for the Government expenditure and revenue figures in Scotland. Those are subject to the international code of practice for official statistics. They are not made-up figures. The only point that I will concede to the Member — and it is also true for Scotland — is that for the regions of the United Kingdom, VAT figures, etc, are not compiled on the basis of how much shops a, b, c, d, e, and so on, paid in VAT, with the total VAT bill worked out from that. There is a degree of estimation and apportionment, but the methodology used is accepted internationally as being robust to give a figure that reflects the situation in each region.

I know that Sinn Féin, in pursuit of its political objective, would love to wish away the billions of pounds that come to Northern Ireland from the Exchequer, but even the fairies would not believe that, and I do not think that its own supporters believe it. The fact that 25% of its own voters would not vote for a united Ireland is an indication that it has not even sold the story to its own voters.

**Mr Beggs:** Some people seem to let their politics get in the way of reality. Can the Minister advise us, when the international standards are applied, what the fiscal balance in Northern Ireland has been in recent years?

**Mr Wilson:** I should have the figure here, but I do not have it. The net fiscal balance in 2010-11, which is the most recent year for which we have that information, was £10.526 billion, which is an indication of how dependent we are on our association with the United Kingdom and how valuable it is from the point of view of the economy. I think that many of the constituents of the party opposite would be very unhappy, if, as a result of its bankrupt economic, political and constitutional policies, we were to lose that kind of funding.

**Mr Allister:** If the Minister were to find that he had sufficient spare time to go back to marking economic papers, what mark would he anticipate giving Sinn Féin for its economic submissions?

**Mr Deputy Speaker:** Order. I have shown great tolerance, but I think that that question goes far beyond what the Minister is here to answer. However, I leave it up to him.

**Mr Wilson:** I think that I have already marked its paper on a number of occasions. Let us look at the kind of fiscal prowess of the party opposite. It is the party that tells us that if we reduce the fuel duty on petrol and diesel in Northern Ireland to the level pertaining to red diesel, which would be an 80% reduction, we would, somehow or other, sell sufficiently more diesel to actually increase revenue. As I pointed out during the debate on the issue, that would mean that people would have to buy three and a half times more petrol and diesel than at present. First, how will they afford it? Secondly, where are they going to drive to? We

will spend all our time driving around Northern Ireland and no time working to earn the money to pay for the petrol in the first place. I think that that indicates the kind of a mark I would give the party. It certainly would not be a pass grade; indeed, I do not know whether CCEA sets a grade that is low enough to reflect the economic knowledge of the party opposite.

### Senior Civil Service: Pay

5. **Ms McCorley** asked the Minister of Finance and Personnel how much the recent changes to Senior Civil Service pay arrangements will cost between 2011 and 2016. (AQO 4432/11-15)

**Mr Wilson:** The costs of changes in the Senior Civil Service pay arrangements from the introduction of the Senior Civil Service pay strategy, with effect from 1 April 2012, were 3.5% in 2012-13, which covered a 16-month period, and 2.8% for 2013-14, which covers 12 months.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Why did he not inform the Finance Committee of those changes, which will see millions being paid to already highly paid senior civil servants?

**Mr Wilson:** First, when it comes to pay remits, that is the responsibility of the Minister. All pay remits do not go to the Finance and Personnel Committee; in fact, I sign them off on an almost weekly basis for different parts of the public sector, and they do not go to the Committee.

I would point out that the Committee endorsed the decision that when we introduced equal pay, we would undertake revision and review of pay across the public sector. That was part of the review. There was review at EO2 level as well. Therefore, there was endorsement by the Executive and the Assembly of the policy that saw the review of Senior Civil Service pay. Of course, it was done by the pay review body, which is totally independent. It made recommendations on the way to avoid, for example, age discrimination cases and certain other anomalies that had crept into the system.

**Mr Elliott:** Will the Minister confirm that no bonuses are now paid to senior civil servants, who are on high pay grades, and that no additional payments of any description are made to those senior civil servants?

**Mr Wilson:** As far as the pay review was concerned, bonuses have been done away with at that level. We did a number of things. We set maxima on the pay grades. We also took away the overlaps between the various pay scales. When people are promoted, they go onto the bottom of the next scale. The leapfrogging that occurred in the past is avoided. In return for certain changes, we introduced the pay regime, which I have outlined. It has cost us 3.5% over 16 months.

### Dormant Accounts: Ulster Community Investment Fund

6. **Mr D McIlveen** asked the Minister of Finance and Personnel for an update of the consultation on 'Dormant Accounts - Proposed Appointment of the Ulster Community Investment Trust'. (AQO 4433/11-15)

**Mr Wilson:** As the Member will be aware, consultation was undertaken by the Department on the proposal to appoint the Ulster Community Investment Trust as the administrator of the dormant accounts fund. That consultation closed in November 2012. There were eight responses. Of those, five were silent and one was supportive. Some respondents indicated that they believed that others could supply the service, and because of that and the fact that we were aware that others were interested in supplying that service, we have agreed to put the administration of dormant accounts out to public tender.

**Mr D McIlveen:** I thank the Minister for his answer. I am sure that, like me, he will welcome the £3.2 million that is coming into local communities. Can he outline the spending priorities for the fund?

**Mr Wilson:** There are two spending priorities. The first is young people and the second is faith-based groups. First of all, the Executive want to concentrate an awful lot of our activities on young people, who, at present, face a lot of disadvantage and pressures that, perhaps, they did not face in the past, such as youth unemployment, drug problems and a whole range of other things. Secondly, I was aware of many faith-based groups that do fantastic work in the community, yet, for ethical reasons, would never have applied to the Big Lottery Fund and, therefore, lost out on resources that could have helped them to deliver some of the services that they provide in some of the most difficult circumstances. For that reason, we have made them a second priority group.

### NAMA: Assets

7. **Mr Hazzard** asked the Minister of Finance and Personnel to outline the nature and extent of NAMA's assets. (AQO 4434/11-15)

**Mr Wilson:** The eventual size of the Northern Ireland portfolio in its acquisition value, not what it was worth at the start, was €1.3 billion. That comprised 18% office accommodation; 17% retail; 10% residential; 5% development, and 3% hotel and leisure assets. The balance was made up of land and other investment assets. Most of NAMA's undeveloped land portfolio in Northern Ireland is situated in the east of the Province. NAMA has also indicated that 70% of its Northern Ireland portfolio is either completed property or is producing income for it at present.

**Mr Deputy Speaker:** I am afraid that there is no time for a supplementary question. Time is up. That concludes Question Time.

3.30 pm

## Question for Urgent Oral Answer

### Suspected Drug-related Deaths

**Mr Deputy Speaker:** Mr Phil Flanagan has given notice of a question for urgent oral answer to the Minister of Health, Social Services and Public Safety. Before I ask the Clerk to read the question, I remind Members that if they wish to ask a supplementary question, they should rise continually in their place. The Member who tabled the question will be called automatically to ask a supplementary. I will then call other Members who are on their feet to ask a supplementary, taking account of the same issues that I take account of at Question Time.

**Mr Flanagan** asked the Minister for Health, Social Services and Public Safety how his Department and its agencies are responding to prevent further loss of life following the reported deaths of at least eight people from the suspected consumption of an illegal drug currently in circulation.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I am very concerned to hear that there have been a number of sudden deaths across Northern Ireland that might be linked to drug use. I pass on my condolences to anyone who has lost a loved one or a friend in these difficult circumstances. It is important to stress that investigations into these deaths are ongoing. At this stage, we do not know whether they are drug related or what, if any, substance was involved. However, I believe that it is vital that we take a precautionary approach.

Since we were made aware of incidents last week, my Department has been liaising closely with the Department of Justice and the PSNI. We have also been working closely with the Public Health Agency (PHA) and the local community. On Friday, the Chief Medical Officer issued an alert letter to health, community and alcohol and drugs services, bringing the matter to their attention. The letter asked people to highlight the risk to vulnerable groups and encourage them to dispose of any drugs safely. The PHA also issued a press release highlighting the risks associated with drug misuse generally.

My Department and the PHA will continue to work with community and voluntary services to provide help and support to those in need. I encourage anyone with information on these deaths or, more generally, anyone who is aware of any individual involved in the supply of controlled drugs, to contact their local police on 0845 600 8000. Information can also be passed to the independent charity Crimestoppers on 0800 555 111.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. I share his condolences to those bereaved or affected by the sudden deaths. The point that I would like to make to the Minister is that this issue is not only for the city of Belfast, although there are strong allegations about from where the drugs are being sourced. I am hearing that those drugs are freely available not only in Belfast and the north-west but in places such as Fermanagh. Will the Minister give me

an assurance that all trust areas will be involved in the measures that are being taken to best prevent further loss of life?

**Mr Poots:** I think that the first preventative measure is to get the message out. It is a message that we have been preaching to people for a long time: drugs, other than those prescribed by a GP and received from a pharmacist, can be dangerous. The ingestion of drugs is something that people do at their own peril. There can be complacency about drugs among people who have been taking them for a while, because they think that they are not a problem. Unfortunately, that is not the case. Certainly, it may be the case in a number of these deaths, which are unexplained at this point, that people ingested drugs. Therefore, the message should go out in a very forceful and clear way to members of the public that they should avoid drugs at all costs and that drugs can take people's lives and be very dangerous.

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. Like the Minister and the Member who spoke previously, I send my sympathy and condolences to the families and, indeed, the wider community affected by these recent tragedies.

Minister, I think that you are right: taking either illegal drugs or drugs that are not prescribed to you is dangerous. We need to get that message out there about drugs that have not even been prescribed.

Minister, the message needs to go out from today that there is a bad batch of drugs out there, whether legal or illegal, that are killing our people. Can you give us as much information as you can and let us know some of the symptoms that people need to look out for? Have our A&E departments been made aware of the symptoms, so that, if somebody presents at an emergency department, they will be brought through the system quicker and without having to wait? What work have the Department and the PSNI done to date to ensure that this message gets into communities through the local community infrastructure?

**Mr Poots:** There has been a very high profile around this issue today. As to the work that is being done, toxicology reports are being carried out on the individuals who have had the unexplained deaths. I am aware that one family has said that their loved one had not been taking drugs, and I think that we need to show respect and restraint to families at this time. We have no evidence to suggest that any of these people had taken drugs. However, there have been eight unexplained deaths — five of them in one area — and there is an indication that that may be the case. It could well be that someone has had their drink spiked with drugs, and we need to be careful about that. There are very important messages to get out to members of the public about drugs, about not taking drugs full stop, and, if they are drinking alcohol, about ensuring that they are not taking alcohol from strangers or people whom they cannot completely trust. Those are important messages, as someone may have ingested drugs with no intention of actually doing so because someone else has spiked their alcoholic drink. That is very important.

Toxicology tests are also being carried out on the drugs themselves, as drugs have been found. A course of work is being done there. Our staff in our emergency departments are trained and equipped to deal with a wide

range of scenarios, including people who have taken drugs, drug overdoses and so forth. It may be possible that the drugs were bought off the internet, but it is probably unlikely given the fact that a number of people died in one particular area. There is a range of areas that we need to look at, and the message needs to keep going out that, if you have not been prescribed drugs by your GP that have been obtained from a pharmacist, you should not be taking them.

**Mr Newton:** I thank the Minister for his answers so far. I join the Minister in his words of condolence to those who have been bereaved in what are very difficult circumstances. You will understand, Minister, the concerns of east Belfast parents, relatives and friends of the five young people who have died in this area over the past number of days. This problem seems to be concentrated in east Belfast, and I take the point you make about a lack of evidence as to the final cause and the fact that you are seeking that evidence. You recently opened what are referred to as drugs bins, I understand, in the Connswater Shopping Centre. Is there any judgement on the success of that initiative as yet? If it is successful, do you intend to run that out into other areas?

**Mr Poots:** I thank the Member for his question. I did open such a box and encouraged people to use it. In the first week, over 400 items were left in that box, so, clearly, there are people who want to get rid of drugs from their community. There are also boxes at the Glandore GP surgery, the pharmacy on the Serpentine Road in north Belfast, the GP surgery on North Queen Street, the Grove centre, the Today shop on Sandy Row, Boots in Connswater and in Kilcooley in Bangor. Therefore a series of these facilities has been opened, and I would like to see more of them. We are working on the roll-out of that with FASA, but there may be others who are prepared to step up to the mark.

I should say that, while there are good people in our communities who work with us to take drugs out of the community, unfortunately, there are bad people in our communities supplying people with drugs. The truth is that, on many occasions, the bad people who supply the drugs are protected by people who claim to be protecting their community. The bottom line is that the likelihood is that people in our communities have died because they have been given materials by individuals who are being protected by people who would suggest that they are protecting communities. People need to look at themselves and reflect on that. We do not need drugs in our communities. People who are engaging in supplying drugs to our communities do not belong in our communities. The best way to get rid of such people from our communities is to speak to the police, give them all the relevant information and put those people where they belong — behind bars. I hope that the courts will step up to the mark and make sure that they are behind bars for a very long time.

**Mr McDevitt:** Given what the Minister has just said, does he agree that those who peddle so-called recreational drugs are in fact peddling poison and need to be brought to justice? What conversations has he had with the Chief Medical Officer in recent days about ensuring that all potential lines of enquiry about the recent areas of concern are subject to police investigation?

**Mr Poots:** The Chief Medical Officer will issue warnings on occasions such as this. Earlier today, I met the Justice Minister. I have also spoken to the Chief Constable and to key people throughout the Department. There is a series of things happening to ensure that we take the right steps and that everybody works in a concerted way. Minister Ford and I agreed that our officials would share all relevant information, which will then be shared with us, and that we would work together to seek to inform the public. We have to inform the public in a way that does not heighten any alarm or concern that is not based on facts. We also need to ensure that the public are concerned enough to take actions to ensure that such deaths do not happen in our communities. If the unexplained deaths are a consequence of ingesting illicit drugs, it will be the communities who will deliver on this, not the Assembly. It will be when people on the ground say, "We have had enough. We do not want our children, young people or families to be poisoned with these drugs. We want to rid our community of these people" that they will take action and give the police the information.

It is not kids who are involved; the deaths have involved adults in their 20s and 30s. That should drive out a very important message: drugs are never safe. We do not need to be encouraging young people to participate in drug taking. As people get a little older and are still taking drugs, they really should take stock of what they are doing with their life. Taking drugs can be a dangerous business.

**Mr Beggs:** I thank the Minister for his statement. Will he confirm that there is no testing on illegal drugs? They do not go through the detailed National Institute for Health and Care Excellence (NICE) testing that any prescribed medicine undergoes. Furthermore, does he agree that the people profiting from this are profiting from the death and ill health of many young people and those in other age groups?

**Mr Poots:** I agree with the Member. The drugs could be made in a make-up lab or in someone's kitchen. We do not know where the drugs are made. They have certainly not gone through pharmaceutical testing and, consequently, do not have the safety standards that we would expect with drugs received from a pharmacist with their advice. That is obvious.

The second element is also obvious: people do not sell drugs for the good of a community. People sell drugs because they can make huge profits. They do not care for the individuals to whom they sell the drugs or whether they can afford them, whether it has an impact on their family or what hurt, harm and damage it does. That is why I say very clearly today that communities need to hand these people over. They are poisoning our communities. We do not need drug dealers, we do not want drug dealers, and we do not want their drugs. The best means of getting rid of them is for people to stand up and say, "We have had enough" and hand over to the police all the relevant information, which can be taken to the courts. Between the police and the justice system, those people should be put where they belong — behind bars — for a long time.

**3.45 pm**

**Mr Agnew:** I extend my condolences and those of my party to the families affected by the eight deaths and to the wider community. I accept that no anti-drugs campaign will ever be 100% successful, but what consideration has

the Minister given to harm-reduction facilities, for example, drug testing?

**Mr Poots:** We have established a drug and alcohol monitoring and information system. It is an early warning system between DHSSPS, the Department of Justice, the PSNI and local community and voluntary groups. A number of different substances have been mentioned, including “Green Rolexes”, “Red Es” and “Pink McDonalds”, but that is not an exhaustive list of what may be dangerous. Although people may want to avoid those drugs, that is not to say that others are safe — far from it. We are aware that these drugs could be very dangerous, but other drugs may also be very dangerous at present. At this stage, we are not sure whether one or more of these substances is involved, but the best thing that people can do is to take a precautionary approach. The PSNI is leading on the investigation, and we understand that it has asked that tests be undertaken as quickly as possible. As yet, we do not know for sure about these drugs, but we will supply that information as and when it becomes available.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for raising this question. I also thank the Minister and support his very robust comments about the people who may be behind the drug-dealing business. I add my voice to those offering condolences to the bereaved families.

As the Minister suggested, I want to be very sensitive because we do not know the precise circumstances in which a number of these young people have lost their life. However, we all know that too many people suffer as a result of the drug trade. I wholeheartedly support the Minister in his call for a very robust challenge. The fact is that people are not just dealing poison in our community; they are dealing death. That is an ongoing problem.

As well as the information that the Minister has committed to giving us as early as possible, we need an early statement from the Chief Constable and the Minister of Justice. The public and every party in the House are well aware that people well known in the community are dealing in death through the drugs trade and are polluting our communities. If now is not an optimum time for political parties and other community leaders to mobilise against these death dealers, I do not know when would be.

We owe it to the bereaved and those who have suffered in the past from the drugs trade to ensure that we make a clear statement today. We want to give people information that could save their life and save them from falling into harm, but we also need to make sure that we send out a message that no quarter will be given to drug dealers. All steps must be taken to have them locked up behind bars as soon as possible. I would like to hear a statement from the Minister of Justice in the House as soon as possible.

**Mr Poots:** I am not exactly sure what the question was. Nonetheless, there was a lot there that I can agree with.

Normally, toxicology reports on bodies take 30 to 60 days. I know that the PSNI has asked for that information to come back as quickly as possible. Hopefully, we will get that sooner rather than later and it will help with the inquiries.

The very important message is that communities need to turn on these individuals. I will also drive home today the very important message to our judges and our courts that, when the communities stand up to these people,

which is not easy to do — they are often nasty and violent individuals — they will stand shoulder to shoulder with them and give those people appropriate prison sentences and not a slap on the wrist. The community and often people in the House are fed up with judges treating criminals with kid gloves.



## Executive Committee Business

### Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013

*Debate resumed on motion:*

*That the draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 be approved. — [Mr Attwood (The Minister of the Environment).]*

**Mr Attwood (The Minister of the Environment):** Thank you, Mr Deputy Speaker. I will continue my statement.

The draft regulations will also require councils to provide information to statutory transition committees. They will require STCs to provide information to the new council for its district, to share information with other committees and to provide any necessary information to predecessor councils. Each STC must have due regard to any guidance that the Department issues.

Provision has also been made in the regulations for STCs to wind up and therefore cease to exist 28 calendar days after the local government elections in 2014. The draft regulations to establish STCs mean that a key milestone has been reached as the 11 committees join in the robust implementation structures already in place. To drive the programme, I have already established the regional transition committee (RTC), which I chair, to act as the main driver for reform and to provide high-level political leadership. When necessary, I convene the political reference subgroup, which is made up of members of each party, as well as representatives from within and from outside the Assembly. There have been three meetings of that group. There are members here who can speak for themselves, but I have to say that, although we have touched on some difficult and sensitive matters, I have been impressed by the insight and, indeed, the wisdom that I have observed in that group.

I have also established the regional transition operational board (RTOB), which comprises government officials and council officers, to support the RTC and to co-ordinate the operational delivery of the reform programme. There is a vast mountain and streams of work on that to ensure that we get it done and get it done right. Finally, I have established a number of task-and-finish working groups to focus on key areas of transferring functions; finance; HR; legislation; pilots and community planning; programme delivery; and communications and systems convergence.

The progress of the STC regulations will be timely and will sit alongside the fact that the Executive, as Members know, agreed the package of functions that will transfer to local government on 1 April 2015. That enables Departments to provide certainty to staff and to draw up transfer arrangements. Secondly, the local government Bill has been drafted and circulated to ministerial colleagues for some time. I had hoped to introduce it before the summer recess, but I still await Executive approval. I have applied to the First Minister and deputy First Minister for urgent procedure for that, so it might yet be on the Order Paper for tomorrow. If not, the Bill will be introduced as early as possible in the next session. A significant programme of subordinate legislation is also required to

complete the legislative framework and to give effect to the Bill, when enacted.

As of 1 May, a remuneration panel has been established to conduct a review of councillors' remuneration and to advise on a system and level of allowances that are appropriate for the new councils. The panel has been asked to reflect the roles and responsibilities that councillors will take on in the new councils, and it has six months to submit its final recommendations. I have made it clear to the panel that it has to submit those recommendations within six months to inform the minds of members — sitting members and potential new members of councils — on issues that they may have to decide on, not least severance.

As Members also know, the consultation on the proposed arrangements for a councillors' severance scheme has been completed. If I recall rightly, I understand that the summary of the responses to the consultation was shared with the Committee last week. It is expected that the regulations will be laid in the Assembly shortly, with councillors being able to apply for the scheme in August this year. The scheme will be on a one-off basis and for councillors who decide not to stand for election in the future. The scheme will be very much in the image of what we consulted on. Although it is not within the scope of the scheme and I do not think that it is right that it should be, I also acknowledge the many councillors who are not now in councils who served this part of the world very well for many years and have left the political stage before now. I do not think that I have done that properly and fully before. Arguably, they should have some recognition as well. I made a political judgement that that was not where we should go, but I want to acknowledge the members, including those from my party and other parties, who have contacted me about the overall scheme.

At the Executive meeting on 20 February, ministerial colleagues accepted the view that some financial support was required to deliver reform and agreed a package of £47.8 million. Officials in my Department and in DFP have been working to develop administrative and legislative arrangements for the distribution and management of the funding. As Members know, the Finance Minister confirmed to the House in his statement on the June monitoring round that the allocation of the first tranche of moneys from the Executive package was agreed at last Thursday's Executive meeting as part of the overall monitoring outcome.

Liaison is also ongoing between my Department and the NIO on the provision of shadow arrangements for the new councils, which is the transitional period that will run from the date of the next local government elections in 2014 until 1 April 2015, when the new councils will adopt their full role, responsibilities, powers and functions. The process will require legislation to be made at Westminster and in the Assembly, as the elections are an excepted matter that is the responsibility of the Secretary of State, while local government is a transferred matter.

In that regard, after the summer, one set of regulations will be tabled here to enable Westminster to take forward three sets of subordinate legislation for which it is responsible; namely the appointment of returning officers, the shape of the DEAs and a third set, which has suddenly gone out of my head. I will come back to it.

As I stated earlier, the regulations are a key step forward in the reorganisation of local government and a step closer to the establishment of 11 new, strong councils to address the needs of all our citizens. I ask the Assembly to approve the draft regulations.

**Ms Lo (The Chairperson of the Committee for the Environment):** As Chairperson of the Committee for the Environment, I support the motion to affirm the Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013.

The regulations will begin the process of reorganising local government and will implement the establishment of statutory, rather than voluntary, transition committees. The regulations also set out the powers and functions of the committees, in particular the power to appoint a new chief executive or clerk, as the position has been traditionally titled.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

The Department initially provided the Committee with an outline of the anticipated provisions of the legislation in October 2012 and returned more recently to brief its members when the statutory rule was laid in the Assembly. The Committee asked the Department for some clarification of the guidance to be provided on the nomination of representatives by councils to the new statutory transition committees. Committee members were very aware that there were differences in how that was carried out at local level in the appointment of the previous voluntary transition committees.

The Committee welcomed the Department's intention to refresh the original guidance to specify three methodologies that should be used for those appointments, with the d'Hondt procedure to be employed where councils fail to agree on the selection of a methodology.

The Committee also expressed concerns over the procedures to be applied by the Department in the appointment of clerks to the eleven new councils. The Minister has written to me outlining the new process based on open competition that he proposes to use for these appointments. Although the Committee fully supports openness and transparency in such high-level appointments and the use of an assessment centre to ensure the high calibre of candidates, the final stage of the process does not appear to have been fully determined. The legislation indicates, at clause 18, that the appointment of a person to the office of clerk must be approved by a two thirds majority of the membership of the statutory transition committee. At this point, the Department has been unable to confirm whether the transition committee will consider more than one candidate and whether, if that candidate is rejected, a second candidate will be considered or the competition rerun.

#### 4.00 pm

The Committee also expressed concerns about the legal implications of what is effectively a power of veto if the first candidate is rejected by the transition committee. Would the transition committee be liable to possible industrial tribunal proceedings? After considerable discussion, the Committee was prepared to accept the Department's assurances that it would bring back the details of the appointment procedures as soon as they were developed.

The Committee also supported the Department's intention to work closely with the Local Government Staff Commission in devising procedures. The Committee encourages the Department to address the commission's serious concerns.

I would like to add a few words as MLA for South Belfast. As the Minister has just mentioned, we will not see the Local Government (Reorganisation) Bill this side of recess. My party and I are very concerned at the lack of progress on the Bill. With the elections to the shadow councils scheduled for May, we are running extremely tight on time. We need the Bill to be introduced soon after the summer recess to allow for proper scrutiny to ensure it is passed ahead of time and that we are not rushing at the final minute. Perhaps the Minister will outline to the House what is holding the Bill up. As he said, we have only about 700 days to go, and, as he said during his most recent Question Time, the Bill has been with the Executive since April. Will the Minister elaborate on the points that the Executive need to discuss further or require clarification on.

We note that the statutory transition committees will have responsibility for appointing chief executives to the new councils. There was much discussion on that in Committee, and more light needs to be shed on the appointment process. There is still a bit of confusion and ambiguity, and the Minister might like to elaborate on that. However, more importantly, it is necessary that we have assurances from the Minister that the chief executives will not be appointed in a vacuum and that there will be a role for them in what will be very well paid posts.

Also, it is incredibly important that the Minister keeps a close eye on the proportionality of the statutory transition committees. I welcome the assurances we have that d'Hondt will be the fallback position. However, the Minister must ensure that, in councils where agreement is reached without d'Hondt being applied, it is done along the lines of proportionality. I am keen to hear from the Minister about what steps, if any, can be taken if councils ignore proportionality in their appointments.

**Mr Weir:** During the Chairperson's remarks, the clock in the Chamber went round 10 hours. I appreciate that the Member was not speaking for that length of time. Sometimes, when the Minister is on his feet, it feels like he has been speaking for 10 hours, but thankfully the Minister was the very soul of brevity, if not wit, today.

I start by declaring an interest as a member of North Down Borough Council. I am also a member of the North Down and Ards voluntary transition committee and the political reference group. I am not sure whether Members will see that as a declaration of interest or almost a confession at Nuremberg, such is the approach that some take to those of us who are still involved in local government.

Before I address the issue of statutory transition committees, I welcome the broader update that the Minister has provided on the RPA process. I particularly want to associate myself with his remarks about those who served on councils but are no longer with us, in many cases because they have retired and, in other cases, sadly, because they are no longer with us in any shape or form on this earth. Those men and women played a very significant role over the years in protecting democracy in Northern Ireland, often in very difficult circumstances.

I welcome the regulations that are before us. As the Minister indicated, there is broad agreement on them. The regulations were welcomed by the political reference group and were unanimously supported by the Committee for the Environment, and that is not the case on every matter. The legislation has been sought by those in local government for some time.

I welcome the regulations for two reasons in particular. The Minister referred to some of the other steps. First, they reaffirm and send out a clear-cut signal to all in the local government sector that RPA is moving ahead and being put in place. Perhaps because of the length of time that the RPA process has taken — it was first mooted more than a decade ago — there is, at times, some scepticism in the sector about time frames and implementation. To be fair to the Minister, on pretty much every occasion that I have heard him address any group of councillors and council officials, he has been very clear that RPA is going ahead and will be implemented. Often, it seems that, despite whatever assurances the Minister gives, very soon we are back at square one, with people asking whether it is really going to happen. I hope that today's decision on the statutory transition committees sends a very clear signal that we are moving ahead.

The regulations are also important because they give the necessary powers to the statutory transition committees. Due to the lack of those direct powers, there has been a sense among many members of the voluntary transition committees of marking time. That is understandable. However, at times, that has been used as an excuse by some. Perhaps there should have been a faster pushing ahead on the part of voluntary transition committees, but if anyone had any excuses, those have been largely removed.

There has been mention of the issuing of departmental guidance on a range of issues, and that is welcome and helpful. Essentially, the purpose of the statutory transition committees is to build a platform for the new councils: to take the steps that are required. A lot of that will not be party political in nature; it will be putting in place a lot of the necessary administration. There is a large volume of work to be done, and it is good that the green light has been given.

The power that most will focus on is the appointment of the chief executives. That is a key preparation step that needs to be taken. Those new chief executives can, in many ways, act as change managers in the statutory transition committees as we head toward the establishment of shadow councils. It is important that they be put in place. I appreciate that there was some discussion at Committee and elsewhere on whether their appointment was premature and whether there was a level of democratic deficit because they will be servicing new councils and it will be the statutory transition committees that will appoint them. My view is that there is relatively little difference between that and the situation for people when they enter local government, or even the Assembly. In many ways, they are bound by various decisions that have been made before they arrive. I think that quite a sensible approach is being taken.

The Minister referred to his very strong preference for open competition for those posts. I strongly concur with him. This is going to be an enormous challenge for councillors and staff who will be dealing with much larger organisations. We will need leadership in councils

at chief executive level that is 100% fit for purpose. As such, in many ways, it seems a no-brainer to say that we should have open competition to have the best possible men and women running those organisations. I suspect that, in a lot of cases, many of those who are currently chief executives may well end up being appointed chief executives of the new councils. However, we lose absolutely nothing, and indeed have everything to gain, by having that open competition. There seems to be an argument that the 11 new chief executive posts should essentially be ring-fenced for the people there at present. That seems to me as absurd a notion as saying that, when we have the elections next year for the new councils, those eligible to be councillors in 2014 should be ring-fenced as the councillors who are there at present; that may be something that would be welcomed by some councillors. Clearly, that is an absurd notion, which no one would accept as correct. A process that enables the best possible people to come forward to be judged and selected on merit is, I think, one that is very much to be welcomed.

Departmental officials gave us a considerable briefing on the process, which gave us a reasonable level of assurance. However, there is one outstanding issue. Indications were given that, in tweaking the details of this over the summer and as we move into the autumn, departmental officials will take advice, particularly from the staff commission and other organisations, to ensure that the process is got right. I can understand the notion of a ratification of a new chief executive. In many ways, that is what happens for staff appointments at present, even if it is a formality.

I still have a degree of reservation. I appreciate that this is an attempt to try to ensure that there is a maximum level of buy-in. The two-thirds majority is something that I think needs to be looked at. From a practical point of view, where you have a process that has councillors at the centre of it with selection that is done on merit, it would be a very brave or perhaps a very foolish transition committee that would say, "You can either accept or reject that recommendation on the basis of a two-thirds majority. We have had a perfectly legitimate process that has produced someone top of the merit tree, but we do not accept that person for whatever reason and are going to reject them and either try to appoint the second-place person or start the competition again." I suspect that, in practical terms, councillors on the transition committees would see that as leaving themselves legally very vulnerable under those circumstances. I understand the motivation behind the two-thirds majority. However, I wonder whether that might be something that will have to be looked at, because I see a degree of vulnerability with it.

That one caveat aside, I think that the Assembly as a whole should welcome the progress being made by the statutory transition committees and the regulations before us today. I am certainly happy to lend my support to the regulations.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh na rialacha. I welcome the rules and regulations today. I want to share in some of the comments that the Minister made in recognising the contribution of councillors. Many good contributions have been made down through the years, and I share in those views. I congratulate the work of the voluntary

transition committees up to now and those who have made a positive contribution to that. I commend the Minister on the political reference group, and I apologise that I did not make the last meeting. There has been a lot of good work and contributions, and it has closed some of the gaps around the fears and concerns that councillors have over the process. There has been good engagement in working with councils, and I hope that that will continue. As others said, this is one piece of the jigsaw to assist in the reform process, and it is most welcome today. It allows for the establishment of the statutory transition committees and outlines the procedures and provisions incorporated in that.

I do not want to go over everything that the Minister and Chair mentioned, but I want the Minister to clarify a couple of points. It was a wee bit noisy in the Chamber when the Minister was speaking on this matter earlier, and I could not pick him up.

#### 4.15 pm

As regards methodology, the Minister outlined three measures. He talked not only about d'Hondt being the default mechanism but about proportionality. I want to touch on that element a wee bit. Councils have asked me how you define agreement. Will it be, as some councils have indicated, done in a way outside of those three methods? Will the Minister elaborate on how he sees that process working?

I also want to talk about Castlereagh Borough Council and Lisburn City Council. Will the people who are appointed to the statutory transition committee from those areas represent the relevant wards? Another key point that has come up in Committee relates to the appointment of the clerk or the chief executive. Minister, if we go through an open process and you appoint somebody, how will that stand up legally? If they go through an open competition and are appointed under proper procedure and it then has to go to the transition committee to be overseen, how will that stand up legally? Can that be challenged?

With those comments made, I welcome the rules.

**Mrs D Kelly:** I, too, welcome the establishment of transition committees being put on a statutory footing. However, I have to say that, similar to the Chairperson, I have concerns relating to the reorganisation Bill, which we believed would be before the House before summer recess. I understand from questions in the House and elsewhere that it has been before OFMDFM since the end of April. I would be grateful if the Minister would shed some light on that matter.

We would all do well to remember the ethos and principles behind the review of public administration. It was, ultimately, aimed at saving ratepayers money. One of the first tests of any new council will be how those savings are realised. Although I welcome the Minister's quest for funding for local government to facilitate RPA, I urge him to challenge his Executive colleagues for further financial assistance in the transition from 26 to 11 councils so that ratepayers are not further burdened by the cost of change.

The Minister referred to previous meetings of the political reference group that he established. He will recall, as others may, that one of the main concerns was about the checks and balances in the making of some of the pertinent, early decisions on the appointment of senior staff and the culture and ethos of local councils. Can the

Minister, having reflected on the comments of councillors and others at the last political reference group meeting, give us any further indication of how he can allay some of the concerns that were raised?

The Minister, quite rightly, paid tribute to former elected representatives in the years of conflict. That was very timely given that it is only a few days since the fortieth anniversary of the death of our party colleague Senator Paddy Wilson, who lost his life because he stood up for democratic institutions. He was not alone in that sacrifice. It is right and proper that we remember that many people put their head up when others brought violence to our streets.

I am very much of the view that all the senior-level posts must be appointed through open competition. I am encouraged by the attitude of all the parties represented in the political reference group. There seems to be broad support for the principle of open competition. There also has to be a change in the mindset and attitude in leading councils, hopefully, to a new beginning, particularly following the planned autumn workshops on dealing with the past, sectarianism and some of the more emotive subjects such as parades. There seems to be a demand from the public and an attitude of generosity in the political reference groups so far to deal with those more complex issues. I am pleased that the regulations are before the House today and look forward to the introduction of further legislation to enable the change to happen.

**Mr Elliott:** Much of this legislation has centred on the appointment process for chief executives for the new councils. The Ulster Unionist Party and I support the concept of open competition. Departments may wish to look at much more open competition, but that is not for the Minister today. I welcome that aspect, which allows for a much wider pool of candidates.

When the issue was being discussed in Committee, I asked about the title and position of "clerk" as opposed to "chief executive". Departmental officials told us that the position of clerk and not chief executive is in the current legislation. It may be an appropriate time to look at that terminology because, to me and to most people in the community, the title "chief executive" is the norm as opposed to "clerk", which is still sometimes used. Perhaps the Minister should look at that in the near future. It is not an issue for this legislation but, as the reform continues, the Minister might want to look at it.

It is not a good basis for the statutory transition committees to appoint the new chief executives. The Ulster Unionist Party and I believe that the shadow councils should have that role when they are elected. They will have a year to bed in, and those are the types of decisions that the shadow councils, as opposed to the statutory transition committees, should take. We are well aware that a number of members and councillors on the statutory transition committees will not serve on the new councils. I accept that, when a chief executive retires and you need to appoint a new one coming up to the end of a term, councillors who appoint a new chief executive may not be councillors in the next term. However, those are one-off issues. In this case, all 11 chief executives will be appointed, and the shadow councils, as opposed to the statutory transition committees, should make those big decisions. I am firmly of that belief, which is why I voted against the issue in Committee.

It is quite interesting that the Local Government Staff Commission believes that the appointment process that is outlined for chief executives in the regulations is in conflict with its procedures and processes. I was hugely disappointed to hear in Committee that the Department had not even opened discussions with the Local Government Staff Commission. That is a Department of the Environment body that was established for the very purpose of those appointments, and the Department has not even entered into any discussions with it. I understand that, since the Committee meeting last week, there have been initial discussions with the commission, but I am not sure whether an agreement can be reached. Members said that the entire statutory transition committee deciding the final appointment and requiring a two-thirds majority is not in the guidelines or resolution of the Local Government Staff Commission appointment process. They state that the powers of appointment are delegated to a small group of councillors, and they will make that decision. I assume that the Local Government Staff Commission is not currently in a position to support this. That is for the commission to say, but that is my assumption at present. I believe that this will leave the process very open to challenge. Over the past couple of years, the commission has worked very diligently to ensure that the options and opportunities for challenge were very limited, and I am concerned that this will once again open up the prospect of significant challenge. If the process indicated that a statutory transition committee required a two thirds majority, I could say that the process was OK but not the appointment. I believe that the final appointment will be subject to huge challenge if a statutory transition committee decides against the recommendation of the appointment team.

Although I welcome some aspects of the legislation, overall, the Ulster Unionist Party and I cannot support it because of those significant difficulties. Hopefully, the Minister will take on board our concerns.

**Lord Morrow:** We are where we are with this whole process. If we were starting with a clean sheet of paper, we would not start from here because there are a lot of disappointments and a lot that I suspect and feel could and should be done differently.

I declare that I have been a member of Dungannon and South Tyrone Borough Council since 1973. I think that I joined at the age of nine or 10, but I cannot recall — *[Laughter.]* It seems that long anyway.

I want to place on record my appreciation, and the Assembly should, I think, do the same, of the fact that councils were the only democratic forums in this country over the long, hard years of what are now called the Troubles. The Minister and other Members were not neglectful of that. There were those who were prepared to put their head above the parapet, and, as already intimated, some paid the ultimate price and made the ultimate sacrifice. I pay tribute to those people, irrespective of where they came from or their background, for doing their duty. They wanted to play a part in the public life of their council area. Society went through difficult years, but I believe that it could have fallen apart had it not been for the local councils and councillors who gave of their best to try to keep some semblance of democracy and normality in this country. At a time of local government reform, I say to people who went through the difficult years that their

efforts have not gone unnoticed and that there are those who very much appreciate what you have been doing.

There are those who, as they come to the end of their term in local government — many have spent long years there — will no longer be allowed to stand in that democratic forum because of new regulations. Whether you agree or disagree with that, the fact remains that there are many people who would have been invaluable in the new system that will take over in the not-too-distant future, but we will not be able to draw on their experience or knowledge should they also want to be in the Assembly. They have to decide where they want to be.

#### 4.30 pm

I do not think that that exists in any other region of the United Kingdom, if my memory serves me right. This is the only region of the United Kingdom where you have to decide one way or the other. Sometimes, it is nearly put out that those who are in both tiers of government are not elected to both, but, lo and behold, all of them have been elected to both. Anyway, I am just making the point that many valuable, experienced councillors are going to be discarded as a result of this. I might say that I am not speaking of myself, because others out there have given long service to the community. I think that important things have often been done down at that grassroots level. However, now that we have the Assembly, which is another tier of local government, it has been decided that people cannot be in both places at the same time.

It is a disappointment that we do not have a Bill, and I think that we have to put that on record. At that stage, I will start to put in the question marks. Is there another stalling exercise? Are we holding back or drawing back again, or is this due to other reasons? I am sure that the Minister will elaborate on that when he gets up to speak.

I happen to believe, and I am speaking more in a personal capacity here, that the procedure that we are going through for the transition across is totally unnecessary. It is far too elaborate and is not needed at all. You can go back to the days of the Macrory report in 1973 and look at what happened then. I do not think for a second that this all happened in 1973 to bring matters across during the reform of local government.

We are but just round the corner from the election. When we come back to the Assembly in September, the elections for local government will virtually be upon us but we still do not have a Bill. I know that there is another procedure a little later than that, but I think that it would have been good had we had the Bill before us before the recess, rather than have to wait until after.

The transition committees are also a year too late, but I suppose we have to be thankful for small mercies, and, at long last, it seems that we will get transition committees. Some of us advocated that the transition committees should have been established at least 12 months ago. However, we are where we are, and the Minister tells us today that that at least is now going to happen.

**Mr McCarthy:** I thank the Member for giving way. I listened very attentively to what has been said around the Chamber. I declare an interest, in that I have been a valued member of Ards Borough Council, which is a superb council in Northern Ireland. The issue is that if the Bill does not come through the House, the possibility is that the

election may have to be deferred until after 2014. If that is the case, some radical thinking will have to take place about why that has happened and who is responsible.

**Lord Morrow:** I take the Member's point that he is a valuable member of one of the local councils. I trust that all his colleagues are valued members, as indeed, I hope, all councillors are valued members of their local council. I take the point that the Member is trying to make: yes, it might be good just to ascertain why, in the course of events, we have no Bill. I have little doubt that the Minister will tell us — before 5.00 pm today, probably — why we do not have a Bill. We will not have to wait that long. I take the point that the Member is trying to raise.

I think that it would be wrong to let the transition committees make the appointments of chief executives for the new councils. I ask the Minister to take another look at that one. Over the summer recess, when he has a wee bit more time on his hands, he might just want to reflect on that and see where it takes us.

Mr McCarthy said that the elections will perhaps have to be postponed again, and that would not be good either. We have had one six-year period of local government, and we are well into the next one. I do not think that it would be good for local government to have another postponement of elections. However, time may well catch up with us. As I said earlier, we are where we are, but it is not looking good. I suspect that the Minister will want to put as much power behind this as he possibly can to ensure that the process travels at the time and speed that hopefully we all want.

I come from an area that had a transition committee in operation, although I was not a member of it. However, the Mid-Ulster transition committee operated very well. I suspect that a better way to put it would be to say that it operated better than most. Now that this is going to happen, I hope that the Minister and his Department will keep a watching brief on the different transition committees as they set about doing their job, because they have an important job to do. They have the job of propelling this forward, and they may well end up carrying the can at the end of the day if things do not happen, and that would be unfair. The Committee will give whatever support that it can to encourage the whole process to keep going, with the proviso that the appointment of chief executives might need to be looked at long and hard before we give over the entire responsibility for their appointment to the transition committees. That would not be good, and I hope that the Department will look again at the whole process.

However, with some reservations, I support what is in front of us today. It is up to the Minister now to prove us all wrong. Let us see that we need not be cautious that things will fly from this day forth and go past us like a whirlwind. Let us see the Minister holding on tight and carrying the whole thing through. I wish him well.

**Mr Attwood:** I thank all Members for their contributions, and I thank the Committee for all its work. I will try to deal with the points succinctly.

I confirm to Anna Lo and Mr Boylan that guidance will state that we encourage people to use d'Hondt, Sainte-Laguë or single transferable vote for the proportionality requirement around membership of the STCs, because we cannot put this into law for various reasons. However, if a cluster of

councils comes to the Department to say that there is an enhanced model of proportionality that moves beyond any of the three recommended models, the Department will not desist. If that is the case, the more the better. Larne Borough Council has abandoned all those models of proportionality and has a model of proportionality that drives and embeds in the life of the council the allocation of positions and the payment of allowances. That model is proportionality is plus, plus, plus. If people want to go there, they will have the full encouragement of the Department.

The appointment of chief executives is very demanding stuff. You are walking on eggs, and you may well be walking on legal eggs. Anything that has been proposed has been interrogated legally, not least because there is a political consensus around this room and other rooms that there should be open and full competition for the post of chief executive in the new councils. That has been widely endorsed, but there is legal opinion from others to suggest that it cannot be done, is problematic, or might open up legal challenge, so I have been very cautious and highly vigilant in taking legal and other advice on the process. On the far side of that legal advice, given my own judgement and that shared in many places, we believe that open competition for the post is right. What will be done? How will it be done? I do not know what this comment is that the staff commission has not been involved. I get various pieces of correspondence from the commission and have had various pieces of correspondence from it in recent times. The Environment Committee has also had pieces of correspondence from the commission in recent times, and it seems to me that it is a bit contradictory, but that is for them to explain.

Nonetheless, there have been conversations with the commission, and there will be more conversations with it, because it has a statutory role, it will continue to have a statutory role, and we are not trying to usurp that statutory role.

**Mr Elliott:** Will the Minister give way?

**Mr Attwood:** I will give way in a second. The commission will have a statutory role in the process, but what is the process for the appointment of the chief executives? Some details are still being worked through. It is proposed that there will be one competition, and that those who apply for the post of chief executive will indicate the post in which they are interested. Maybe they will be interested in 11 posts, or maybe they will be interested in one, but the statutory transition committees in a cluster will appoint an interview panel.

There will be the normal processes and legal processes for the assessment of those who might be subject to further assessment, and those who are identified for that purpose will be subject to an assessment centre. After that assessment centre, there will be an interview, and, on the far side of that, there will be a decision.

The decision will be that one person, and one person alone, will be nominated from the interviewing panel to the statutory transition committee, and the statutory transition committee will have to make the judgement. If they choose not to ratify, and if they are not satisfied that the process has been fair and open, they can reject that person; in which case, the competition will be rerun. If they reject somebody, and, in my view or the Department's view, they

have not acted properly, in that the process has been fair and open and that there was no reason not to ratify, if a council decides not to ratify in those circumstances, the Department will step in.

**Mr Elliott:** I thank the Minister for giving way. My point was merely about his comment in relation to the staff commission not being involved or not having discussions with the Department. I made my comment when I referred to that coming from the basis of your departmental officials who had indicated at the Committee last week that there had not been any discussions with the Local Government Staff Commission around the process that was being used. That was merely my comment.

**Mr Attwood:** There have been discussions with what is known as the joint forum, and there have been discussions, if not latterly, certainly recently, with the staff commission, not least because it has forwarded various pieces of correspondence, and we have been trying to understand fully what people may be indicating. Issues about human resources, be they legal, operational, or the relationships between ourselves and other organisations, are dealt with on a rolling basis, and I have not been informed that the staff commission heretofore has had some big headaches about how the Department has conducted itself in that regard.

On the far side of all those processes, people have to take legal advice and decide what their legal options are. My sense is that people know that this is a once-in-a-political-lifetime opportunity to get council reform right, and that has been touched on by a lot of people in this discussion. I do not like some of the details of council reform. I still do not like having 11 rather than 15 councils. I would much prefer it had that piece of advice prevailed earlier, as managing all this would have been more straightforward. Nonetheless, if you look at what has been achieved over the past 18 months compared to what was done in the previous 18 years, or even in the previous mandate, the scale of what has been achieved is far in excess of what happened before. I think that, at political, official, management and leadership levels in the councils, people do not want to see this process derailed. Whatever its fault lines and flaws, whatever its challenges and demands, they do not want to see it derailed.

#### 4.45 pm

I will give you a small example. In the past few weeks, my senior planning team has spent a lot of time going around all the divisional planning offices to explain to planning staff not only more about the character and content of the planning system, and its role in Northern Ireland, but where we are going over the next 700 days in the run down to local council reform. What has been the consequence of that? I am getting reports of planning staff being enthused and encouraged on the transition by council staff. I will not name the chief executive of one of the local councils, for example, arising from one of the meetings last week — maybe a chief executive who is not going to apply for appointment to the new clusters — who was enthusiastic in saying to planning staff that the planning function cannot come soon enough within the life of a council, because of what it might mean for councillors shaping their own communities. So, I do not think that there is any sense that people are going to gather now and try to derail any bit of this process, including the process that has been

proposed in respect of chief executives. I hope that that spirit will prevail over the next number of months.

**Mr McCarthy:** I thank the Minister for giving way. To my mind, training for future councillors on the new councils will be vital as we go forward, but, to my knowledge, that process has not even started.

**Mr Attwood:** I am sorry to correct the valued member of his local council —

**Mr McCarthy:** I am always open to being corrected.

**Mr Attwood:** I hope, then, that the Member will take kindly this correction. Here I go, and this is why I am a bit surprised about some stuff about the staff commission, but the NAC, NILGA and the staff commission came into the office together, about six weeks ago, to make their contribution to shaping the training of councillors, senior managers and other staff in the run down to RPA. That is only one example of a process that has been going on for a number of months, and which will conclude by the end of July. We have been scoping out what the training requirements and other requirements of councillors, management and officials might be across the range of DOE functions. I will give you a small example. I believe that there is an urgent need to have proper training in the run down to community planning being part of the life of the new councils going forward. Community Places, the community-planning organisation that is citizen-focused, is taking forward that work. It is working with the chief executive of Ballymena council in order to ensure that, when it comes to community planning, which is somewhat abstract at the moment, that function is shaped properly, so that the councils are fully empowered and enabled to take that forward in 2015. I could go on. I hope that the Member will take those comments in the spirit in which they are intended.

I was asked why we did not have a local government Bill before the House. I think it is probably too late now, because we are not sitting tomorrow, but DOE has an ambition to introduce 10 Bills in the lifetime of this mandate. That is not precluding something that might come out in the run down to 2016, which will be the end of this mandate, if the Northern Ireland (Miscellaneous Provisions) Bill is passed by Westminster. I hope it is not, in that regard, because I do not think you can usurp democracy in this part of the world. However, in my view, there was an attempt to usurp the full outworkings of democracy in the Chamber last week with regard to the Planning Bill. Putting that aside, there are at least 10 Bills that DOE has ambition to get through the Assembly in the lifetime of this mandate, regardless of whether it is four or five years.

It was my hope, and I have always said, that we would have, at various stages, a Marine Bill, a road traffic Bill, a local government Bill, a Planning Bill and the Second Stage of the Carrier Bags Bill in the legislative process of this mandate before the summer. A road traffic (amendment) Bill and a local government Bill have been circulating among the Executive for a number of weeks — a lot of weeks — and, despite my expectation, even on walking into Executive meetings, that they would be on the agenda, they have not appeared. As Members might know, others perhaps see the agenda of Executive meetings before some parties do, but for me and other parties, including the Member's party, the first sight we have of an

Executive agenda is when we walk into the meeting and sit down.

**Mr Eastwood:** Team players.

**Mr Attwood:** As the Member has just pointed out, that suggests that there is a lot of team playing going on round the Executive table. Putting that aside, there was ample opportunity for the local government Bill to go through the Executive and come to the Floor, not just for its First Stage but for its Second Stage, so that it could go to Anna Lo's Committee in advance of the summer.

The mind of Executive members who are transferring functions have, historically and currently, been concentrated on the issue given that their Departments are transferring. Therefore, it seems to me that, in those Departments, when it came to an Executive paper's being circulated, they were more nimble on their feet with regard to what its contents might be and they responded very promptly.

There was a legislative issue. I think that I indicated that in the Chamber previously. It arose in respect of — and we need to get this right — TUPE obligations. That required some last-minute work, four or five weeks ago, with the Office of the Legislative Counsel. However, it was corrected.

I have to say that although I understand, given the volume of papers around the Executive, that Ministers might respond late to certain matters, last Thursday, one Minister responded to matters. We tried to give that Minister immediate reassurance. I am glad to say that the Minister indicated that he was satisfied. I also have to say that I hope that no game-playing is going on with respect to the local government Bill. I hope that, given that, for example, a process has been established by the FM and dFM to address the issue of flags, no Minister is now trying to parachute the flags issue into the local government Bill at this stage. It may come to pass that the flags issue will have to be dealt with on the Floor of the Chamber through the Bill. It is not sustainable to walk into the formation of the new councils in 700 days' time without the issue of flags having been resolved satisfactorily. Otherwise, the first item of business in too many councils will be the display of flags. That will not be a very healthy start to the life of the new councils given the ambitions of councillors and the needs of local ratepayers. I want to put it on record that I hope that no Minister is now looking for the issue of flags to be dealt with at this stage through the local government Bill.

Mr Weir, Mrs Kelly and Mr Boylan, who referred to it, and other Members sit on the political reference subgroup. As they are aware, I raised the issue of the display of flags in the context that I just outlined at two recent meetings. We stepped back from that issue because a process, whatever its character might be, has now been initiated by the FM and dFM to deal with some legacy issues, including that of flags. That is where it should be dealt with for now. If that does not lead to a satisfactory outcome, it should be dealt with in another way. However, the local government Bill should not be derailed by any issue around flags at this stage.

With regard to Mr Weir's comments, I think that there is relentless momentum now towards RPA. That momentum has been gathering because of decisions around money, the transfer of functions, STCs, council severance, and so on. Regarding the potential for more money from the Executive, which Mrs Kelly touched on, I want to say very clearly that I do not want to hold out any hope or

expectation that that will happen. The previous position had been that there would be no central assistance. Then, close to £50 million was allocated. I cannot offer any hope or expectation that that situation will be revisited.

Over the weekend, I wrote a letter to the chief executives and chairs of councils further to a recent meeting that I had with ICE representatives, which is the sharing and collaboration team of local councils, expressing explicitly my dissatisfaction with their response to sharing and collaboration opportunities in the next 18 months. Further to a meeting that I had with them two months ago, a letter had come back that said very little. Basically, it said that any more or significant sharing and collaboration of substance would have to wait until after 2015. It is not the message to send out to ratepayers that sharing and collaboration will, substantially, be done in two years' time or later.

I made it very clear to them that I expected a lot more good authority from the councils. That is why I wrote the letter not just to the chief executives but to the chairs of the councils. As Mr Weir and others will confirm, at the political reference subgroup, I raised the point that councils have to take the lead in driving forward sharing and collaboration.

Mr Weir also raised a question — Anna Lo touched on this — about whether there will be a vacuum between the function of the incoming chief executive and the existing one. No, there will not. The new chief executive will be tasked under the regulations to take a lead in key responsibilities, including the preparation of a business plan, a corporate plan and a financial plan. Those are major undertakings. At the same time, the existing chief executive will have ongoing operational responsibility for the delivery of services in the run-down to March 2015. So, whilst they will have to have good relations, they both have defined, demanding jobs. In my view, there will be no vacuum. The issue is that the roles are different under the law, so multiple responsibilities will fall to both, and they will need to apply themselves diligently to those responsibilities.

**Ms Lo:** Will the Minister give way?

**Mr Attwood:** Yes.

**Ms Lo:** What will happen if the existing chief executive is appointed as the new chief executive for the new council?

**Mr Attwood:** Once we have worked through all these issues, I will give you the definitive answer. The point of principle remains that there will not be a vacuum. Existing and incoming chief executives will have a lot of work to do. The roles will be defined differently — one is operational, and one is about shaping the life of the future council. In my view, that will work satisfactorily. However, the Member makes a fair point. Will you have a person who is master of neither house, and will there be a tension in that regard? Once all that has been worked through, we will get an answer to the Member.

Mr Boylan raised a question about Castlereagh and Lisburn councils. There might be a slight confusion. I think that there are two issues behind that question. The first is that there is a dispute between Castlereagh and Lisburn councils about the balance of membership on the STC. Both have been looking at me. I have to point out that half of Lisburn City Council's members are from the ranks of the DUP and that all but half of Castlereagh Borough



Council's members are from the ranks of the DUP. So, if they cannot work that out at a party and council level, I do not think that I can work it out for them. With all due respect to them, that is why I have resisted meeting them separately or together, because they need to work out that issue at a local level. If they cannot work it out or accept the fact that there will be equivalent members from both councils, whatever the disproportion in population size, and agree that that needs to happen, in my view, neither is sending out very good authority, and the party that seems to have a leadership role on those two councils is sending out some strange messages.

The other point that the Member makes is that Castlereagh and Lisburn councils will transfer areas to Belfast City Council. In the guidance that will be issued further to the regulations, there will be a requirement for the people who sit on the Belfast STC to be elected members from the DEAs or wards that are transferring into Belfast. Therefore you cannot have a person from a political tradition that is contrary to the political tradition of, for example, Poleglass sitting on the statutory transition committee in Belfast.

Tom Elliott made the good point that there should be more open competition, and I agree with that. In my own time in the Department, I remember getting advice on the appointment of the Environment Agency chief executive. That is a grade 3 post, so there is really only one post above that in the Civil Service hierarchy. As far as I recall, the advice was to have an internal competition, but I said, "No. Let us have an open and full competition. If there are strong internal or external candidates, let us test all that". We ended up with someone who came to Belfast from Australia. That sends out a strong message that we recognise that there are a lot of good people within and a lot of good people outside. We are taking that model forward for the competition.

#### 5.00 pm

There is the issue about town clerks and chief executives. Under the legislation at the moment, it is town clerk. It would be a logistical nightmare to delete or redact references to chief executives, never mind the confusion that Belfast, Lisburn and Newry are cities, and they all have town clerks. It may be better that we do not go there, although I understand the sentiment behind what was said. I assure people that we will work with the Local Government Staff Commission as we go forward.

I am sure that I have not touched on a number of points, but I aimed to finish by 5.00 pm. I agree with the sentiment of the comments made by Lord Morrow. I recognise that those who are leaving may not want to leave council life, never mind those who have already left and those who have gone to other places. All those people need to be recognised, and nothing is intended as any criticism of them.

I outlined my plan for the Bill. I regret that the Bill will not even have its First Reading before the summer. Lord Morrow's final remark was "Who will carry the can?". I am not into "Who will carry the can?". Even with my reservations, I am into getting this done right and on time. Who will carry the can if this does not live up to all those standards? The ratepayers. They will have a reduced or worse service than expected or a service that is too costly or does not live up to the requirements of the transfer of functions, especially in planning. They will carry the can,

and, as democrats and public servants, we say that the last people who should have to do that are the public.

*Question put.*

*The Assembly divided:*

*Ayes 77; Noes 13.*

#### AYES

*Mr Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Byrne, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Dr Farry, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr P Ramsey, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Weir.*

*Tellers for the Ayes: Mr D Bradley and Mrs McKeivitt.*

#### NOES

*Mr Agnew, Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mr Cree and Mr Elliott.*

*Question accordingly agreed to.*

*Resolved:*

*That the draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 be approved.*

5.15 pm

## Committee Business

### Standing Orders 10(2)(a), 19, 20 and 20(1)

**Mr Deputy Speaker:** The next four motions relate to amendments to Standing Orders, so I propose to conduct the debate as follows. I propose to group motions (a) to (d) as detailed in the Order Paper and conduct a single debate. I will call the Chairperson of the Committee on Procedures to move the first motion in the group. Debate will then take place on all four motions. When all who wish to speak have done so, I will put the Question on motion (a). I will then ask the Chairperson to move formally motions (b) to (d) in turn, and I will put the Question on each motion without further debate. If that is clear, we will proceed.

**Mr G Kelly (The Chairperson of the Committee on Procedures):** I beg to move

*After Standing Order 20 insert*

*“20A. Topical Questions*

- (1) Topical questions for a Minister shall be taken during the first 15 minutes of the time allocated for questions for oral answer by that Minister.*
- (2) No topical questions shall be asked of the Assembly Commission.*
- (3) A member who wishes to ask a topical question of a Minister at a particular sitting shall submit his or her name in advance to the Speaker who shall select 10 members by ballot.*
- (4) The Speaker shall determine, by means of a random selection, the order in which questions are taken.*
- (5) The Speaker shall inform –*
  - (a) members; and*
  - (b) the Ministers to whom the questions will be addressed at the sitting;*

*in advance, of the names and order in which questions are to be taken.*
- (6) Answers may not be debated, but the member asking the question may ask a supplementary question. A supplementary question may contain no more than one enquiry.*
- (7) Where a member is not present to ask a topical question, the Speaker shall move to the next member in accordance with the order determined under paragraph (4).*
- (8) Paragraphs (1)(a) and (2) of Standing Order 19 and paragraphs (2), (8A), (10) and (11) of Standing Order 20 shall apply to topical questions as they apply to questions for oral answer.”*

*The following motions stood in the Order Paper:*

*(b) In Standing Order 10(2)(a) leave out “and 20A” and insert “to 20B”. — [Mr G Kelly (The Chairperson of the Committee on Procedures).]*

*(c) Leave out Standing Order 19(3) and insert*

*“(3) A question may be –*

*(a) for oral answer (see Standing Order 20);*

*(b) a topical question for oral answer (see Standing Order 20A);*

*(c) for urgent oral answer (see Standing Order 20B); or*

*(d) for written answer (see Standing Order 20C).”*

*In Standing Order 19(4) line 1, after “question” insert “(other than a topical question)”. — [Mr G Kelly (The Chairperson of the Committee on Procedures).]*

*(d) In Standing Order 20(1) leave out sub-paragraphs (a) and (b) and the hyphen immediately preceding them and insert*

*“2.00 pm and 3.30 pm on those Mondays and Tuesdays”. — [Mr G Kelly (The Chairperson of the Committee on Procedures).]*

**Mr G Kelly:** Go raibh maith agat, a LeasCheann Comhairle. On behalf of the Committee on Procedures, I am pleased to bring these motions to amend Standing Orders to the House today. On 15 April, the Assembly approved the Committee on Procedures’ report on its inquiry into topical questions. The motions will give effect to the recommendations in the Committee’s report. Motion (a) inserts a new Standing Order that sets out the topical questions procedure. Motions (b), (c) and (d) are consequential amendments.

I will make a few comments about motion (a), which proposes new Standing Order 20A. If the amendments to Standing Orders are agreed, topical questions will form part of the existing Question Time rota, with Ministers now having 45 minutes each time they are scheduled to answer oral questions. The Minister will answer topical questions during the first 15 minutes and, at the end of that time or when all topical questions have been asked, whichever is earlier, business can move immediately to the 30-minute Question Time for the same Minister.

Members will recall that the Committee’s report had recommended a deadline of three working days in advance of the relevant Topical Question Time for submission of names to the Speaker. Although new Standing Order 20A(3) does not specify this deadline, it states:

*“A member ... shall submit his or her name in advance to the Speaker”.*

This is in line with established convention and mirrors the current wording of the Standing Orders regarding questions for oral answer. As exists for current Standing Orders, a Speaker’s ruling will be issued in respect of the new Standing Orders that will set out the detailed arrangements, including the deadlines to be adhered to. For the same reasons, new Standing Order 20A(5) does not specify the 1.00 pm deadline for notifying Members and Ministers of the names selected and the order in which questions are to be taken. The time frame for this will also be set out in the Speaker’s ruling.

Motion (d) extends Question Time to include 15 minutes for answering topical questions and gives effect to the Committee’s recommendation that starting times for Question Time on Mondays and Tuesdays should be synchronised. In short, that means that questions to the relevant Ministers, including topical questions and oral

questions, would run for 45-minute slots from 2.00 pm to 3.30 pm on Mondays and Tuesdays.

Further to the proposed Standing Orders before the House today, an important recommendation in the Committee's report was that the new arrangements should be reviewed by the Committee on Procedures following a six-month trial period. That will ensure that the objectives of introducing topical questions are being met and that the process can be revised if necessary. Subject to the approval of the Standing Orders before us today, this requirement has been built into the Committee on Procedures work programme for early in 2014.

The introduction of topical questions provides a real opportunity to improve spontaneity and will give Members the chance to pursue issues that matter to them. The hope is that questioning will be more relevant, timely and more interesting for our constituents. It is the Committee's view that these Standing Orders accurately reflect the recommendations, which were agreed by this House, in the Committee's report. Therefore, I commend the motions to the House.

**Mr Lyttle:** On behalf of the Alliance Party I support the proposals before the House on the introduction of Topical Question Time. As a member of the Committee on Procedures, which proposed the inquiry into topical questions, I am very pleased to see this business before the Assembly today.

It is my hope that the introduction of topical questions will lead to a more spontaneous and relevant questioning of Ministers in the Assembly. I know that it is hard to please everybody in the House and the Back-Benchers behind me may not totally agree, but I hope that this will improve the accountability of many of the Ministers to the public whom we are here to serve.

I also hope that this will be one way for MLAs to get answers from Ministers who, increasingly, seem determined to avoid answering written questions in a timely manner. I know that Alliance Party Ministers welcome the introduction of topical questions and look forward to responding to them.

This will be a positive step for the Assembly in improving the way in which our legislature operates. I hope that the public will welcome the introduction of topical questions.

I thank the staff of the Committee on Procedures, who worked diligently in helping Committee members to conduct our inquiry, and all the contributors to the inquiry. It may take some adjustment to start with, but I am confident that over time it will be viewed as having provided MLAs with a beneficial tool to uphold good government and democracy in the interests of the public in Northern Ireland.

**Mr Deputy Speaker:** No other Members have indicated that they wish to speak in the debate. I call the Deputy Chairperson of the Committee on Procedures, Mr Trevor Clarke to conclude and make a winding-up speech.

**Mr Clarke (The Deputy Chairperson of the Committee on Procedures):** As there have been only two contributors to the debate, whose speeches have been very short, it leaves me with little to say other than to thank, as did Chris Lyttle, the Committee staff for the support that they provided throughout the Committee's inquiry.

It is also worth noting that, although some Members might suggest that there could have been friction with Ministers, the proposals were sent to the Executive, which had no hesitation in supporting them. The Chairperson has pointed out that there will be a six-month trial period. We look forward to the principles taking effect and hope that there will be spontaneous questions that will satisfy the appetite of some Members who believe that, maybe, questions are not spontaneous. I support the motions, as they accurately reflect the recommendations of the Committee.

**Mr Deputy Speaker:** Before we proceed to the Question, I remind Members that each motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*"20A. Topical Questions*

- (1) Topical questions for a Minister shall be taken during the first 15 minutes of the time allocated for questions for oral answer by that Minister.*
- (2) No topical questions shall be asked of the Assembly Commission.*
- (3) A member who wishes to ask a topical question of a Minister at a particular sitting shall submit his or her name in advance to the Speaker who shall select 10 members by ballot.*
- (4) The Speaker shall determine, by means of a random selection, the order in which questions are taken.*
- (5) The Speaker shall inform –*
  - (a) members; and*
  - (b) the Ministers to whom the questions will be addressed at the sitting;*

*in advance, of the names and order in which questions are to be taken.*
- (6) Answers may not be debated, but the member asking the question may ask a supplementary question. A supplementary question may contain no more than one enquiry.*
- (7) Where a member is not present to ask a topical question, the Speaker shall move to the next member in accordance with the order determined under paragraph (4).*
- (8) Paragraphs (1)(a) and (2) of Standing Order 19 and paragraphs (2), (8A), (10) and (11) of Standing Order 20 shall apply to topical questions as they apply to questions for oral answer."*

**Mr Deputy Speaker:** The remaining motions in the group will be moved in turn and voted on without further debate.

*Resolved (with cross-community support):*

*In Standing Order 10(2)(a) leave out "and 20A" and insert "to 20B". — [Mr G Kelly (The Chairperson of the Committee on Procedures).]*

Resolved (with cross-community support):

(Mr Speaker in the Chair)

Leave out Standing Order 19(3) and insert

“(3) A question may be –

(a) for oral answer (see Standing Order 20);

(b) a topical question for oral answer (see Standing Order 20A);

(c) for urgent oral answer (see Standing Order 20B); or

(d) for written answer (see Standing Order 20C).”

In Standing Order 19(4) line 1, after “question” insert “(other than a topical question)”. — [Mr G Kelly (The Chairperson of the Committee on Procedures).]

Resolved (with cross-community support):

In Standing Order 20(1) leave out sub-paragraphs (a) and (b) and the hyphen immediately preceding them and insert

“2.00 pm and 3.30 pm on those Mondays and Tuesdays”. — [Mr G Kelly (The Chairperson of the Committee on Procedures).]

## Private Members' Business

### North/South Co-operation

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. As two amendments have been selected and published on the Marshalled List, an additional 15 minutes have been added to the total time. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. Before we begin, the House should note that the amendments cannot both be made as they are mutually exclusive. So, if amendment No 1 is made, the Question on amendment No 2 will not be put.

**Mr McDevitt:** I beg to move

*That this Assembly reaffirms its commitment to the ambition, values and institutions borne out of the Belfast Agreement; notes the improved working relationship between the Governments on this island including through the North/South Ministerial Council and British-Irish Council; welcomes the recent progress on the Narrow Water bridge project; and calls on the Executive, in conjunction with the British and Irish Governments, to complete urgently the review of the St Andrews Agreement to allow further progress on North/South co-operation in order to bring benefits to all of the people of this island.*

As we have been remembering frequently in recent months, 15 years ago our region was given the opportunity to start over. This institution was founded on power sharing, equality and respect for the diversity between our people. We have grown this institution. We have found ways of being able to ensure that the people in this region of Ireland have stable government and have the capacity to hold that government to account within the rules, as they are today.

#### 5.30 pm

That was one part of what we voted for — those of us who voted yes. I am very pleased that the vast majority of the House is still full of parties that voted yes and supported not just the working of the institutions of our agreement, but took the brave decision back in 1998 to set aside a period of conflict and division, and to start over by establishing institutions that, today, everyone is capable of supporting.

It is important that we understand that these institutions were never meant to — and do not — exist in isolation. As John Hume used to say, there are three broken sets of relationships in our conflict.

**Mr Campbell:** Oh, please.

**Mr McDevitt:** First, a broken relationship between the people of Northern Ireland, which, despite the heckles from my colleagues and some friends in the DUP, we are slowly working to restore. Secondly, a broken relationship between the peoples of Ireland, and, thirdly, broken relationships between Britain and Ireland.

I know that everyone in this House was particularly pleased to note and appreciate the significance of the Queen's recent visit to the Republic of Ireland. I know that everyone in the House was aware, more than most, of the importance of healing the division and mistrust, and restoring full relationships between the two sovereign Governments that we all hold dear.

**Mr Campbell:** Will the Member give way?

**Mr McDevitt:** I will in a second, Mr Campbell, if I could just get my preliminary remarks out of the way.

We have a great duty not to simply fall back on the Governments to show leadership but to continue ourselves, as an Assembly, in co-operation with the Government in Dublin, to build on the common ground on this island: on the areas of common interest. We have a duty to deepen our relationships not because we are pursuing some political agenda, but because it is in the interests of all our people.

The co-operation that is now blossoming in the area of health is a product of the infrastructure and institutions of the Good Friday Agreement, but it is made to work because of the leadership of a DUP Minister. That is leadership that no one should be afraid to celebrate. I want to thank the Health Minister, as I have many times in this House, for taking the right decisions in the interests of the people of Northern Ireland to co-operate and deepen co-operation with the rest of the island in the interests of our people.

I also want to acknowledge the leadership that the Minister of Enterprise, Trade and Investment has shown in the area of tourism. Only last week, she noted in this House that the G8 summit was not only known around the world for not having had a big riot, but for the work that Tourism Ireland did to ensure that the message about Fermanagh as a destination reached everywhere we needed it to reach. The beauty and majesty of Lough Erne, our heritage and our land was showcased to every single journalist who came here. That would not be possible without the Good Friday Agreement. Those opportunities would not have existed without these institutions, and these institutions would not work except in the context of British-Irish institutions and North/South institutions. I give way to Mr Campbell.

**Mr Campbell:** I thank the Member for giving way. Unfortunately, at the moment, he is coming close to saying that these institutions would not be here unless the SDLP's prerequisites had been met, which would be a very invidious position to take. Had a unionist taken such a position, I think that he would have something to say.

Is it not the case that his argument in the debate today would be far more progressive if he simply indicated that what is done is done, whatever our various opinions on it? We should be talking about 2013 and how we will make progress from here on, rather than going back to something that happened 15 years ago and over which most people have drawn a veil and said, "That's done and dusted. Let's have a good future, rather than the failures of the past."

**Mr McDevitt:** This is progress indeed, Mr Speaker. Maybe I could acknowledge Mr Campbell's determination to look forward, and I wish to do so. In fact, the purpose of the motion is not to be retrospective about the decision and mandate that the people gave us all to establish these institutions in 1998, but to look forward to how we

develop co-operation on the island of Ireland, and to do so specifically within an agreement that the two major parties of this House are party to — the St Andrews Agreement — and to acknowledge that that agreement included a commitment, set out with terms of reference, to review properly, intelligently, soberly and in an objective way the opportunities for future development on North/South co-operation. For the benefit of the House, I will read into the record the terms of reference of the St Andrews Agreement review:

*"1. To examine ... the efficiency and value for money of existing Implementation Bodies;*

*2. To examine objectively the case for additional bodies and areas of co-operation within the NSMC where mutual benefit would be derived; and*

*3. To input into the work on the identification of a suitable substitute for the proposed Lights Agency of the Foyle, Carlingford and Irish Lights Commission."*

Those are challenging terms of reference. They are about taking "North/Southerly" to another level that is not anything to do with the political aspirations of one side or other represented here; it is to do with maximising the opportunity for that co-operation for our people. The reason the motion is before us is that, some not insignificant number of years since that agreement was reached and those terms of reference established, we are still awaiting the outcome of the St Andrews review.

It is timely that we should be debating this today. On Friday, the North/South Ministerial Council will meet in plenary session. Our appeal, and I would hope the appeal of the House through its democratic decision, if it chooses to support the motion, is to say to the Irish Government and the Northern Executive that the time to see the review is overdue. Our wish is not to play "North/Southerly" like a political football across our border. Our wish is to seize on the fantastic, real and positive work that is going on and to accept that now is the time to allow that work to deepen, where it needs to; to change, where it makes sense to change it; to be added to, where it makes sense to do so; and to allow it to be held up to all our people, not in some threatening way, but as a real way of being able to get your operation quicker, to get better transport links, to better protect our environment, to better manage our sustainable and energy opportunities into the decades ahead, and to make our island safer. It is for that reason that the SDLP has come here today to ask colleagues on all sides not to look back — I think that Mr Campbell is absolutely right — but to look forward and say loudly and clearly that North/South co-operation, like east-west co-operation and like making these institutions work, is not something we do because we have to, but something we do because we know we need to, we want to and the people require us to.

**Mr Moutray:** I beg to move amendment No 1:

*Leave out all after "Assembly" and insert*

*"notes the working relationship between the Northern Ireland Executive and the Irish Government, including through the North/South Ministerial Council, the British-Irish Council and other bilateral contacts; and welcomes ongoing, practical co-operation that is beneficial to the people of Northern Ireland."*

We are living in a time of financial hardship. Every day, when we turn on the news or pick up a newspaper, we hear of hardship, job losses and struggles, whether on our own shores, in the European Union or across the world. Indeed, we all know individuals, families and businesses that are struggling. That said, I believe that it is important that we open up and explore all methods of improving our business competitiveness, particularly in exporting goods, whether it be to the Irish Republic, given that we share a land border, or further afield. Hence, our amendment reaffirms the DUP's commitment to working with whoever to try to benefit the people of Northern Ireland. Devolved government in Northern Ireland has and continues to deliver for the people. Although I mentioned the difficult times, I believe that local Ministers making decisions, particularly around economic issues, are best placed. The benefits far outweigh direct rule.

We have to think only of the level of job creation brought about by Invest NI and Minister Foster. I think of the recent announcement of 279 jobs at Almac in Craigavon. That is what political stability is about, and that is the course that we, as a party, are on.

Constitutionally, Northern Ireland is in the United Kingdom; let us be clear on that. Mr McDevitt and Mr Bradley are endeavouring to do some political grandstanding with the motion, but they have to be mindful that attempts to bring about a united Ireland are failing miserably. Northern Ireland continues to be an integral part of the United Kingdom. Given the more peaceful environment that we have enjoyed in recent years, it has become a serious player worldwide. We have seen great interest from China, America and, recently, Japan, which recognise our superb skills base, excellent work ethic and infrastructure benefits.

It is only now that we in Northern Ireland are confident enough to show our wares and promote this region as an economic hub. Our place within the United Kingdom gives us greater credibility on the world stage. We have only to consider that, 20 years ago, the G8 summit would just not have happened here. It gives us a greater economic trading base and a highly regarded and renowned economy that is known and respected worldwide. We have a currency that is buoyant, unlike the euro. We have a healthcare service that is free at the point of use, and our block grant from Westminster is certainly a welcome benefit. However, we share a land border with the Republic of Ireland, and we must use it to the benefit of our people. It is necessary, in the coming months and years, to build on the practical co-operation that already exists. I commend the co-operation between the Northern Ireland Executive and the Irish Government. Indeed, I believe that that co-operation has benefited and will benefit both jurisdictions in the world marketplace.

The current First Minister and the previous First Minister have always been consistent in their view that there is a need for practical co-operation rather than the often unnecessary structural and politically motivated relationship that has been and is preferred by others in the House. Each Member knows that closer collaboration in areas such as improved workforce skills and productivity, better transport links and improved public sector infrastructure in other areas should benefit consumers in both countries. To that end, I support practical co-operation. Obvious examples are electricity and gas network co-operation and the creation of better transport

links to facilitate trade and labour mobility, all of which will enhance our attractiveness to foreign investors. We all know the benefits of the A1 in accessing Dublin and vice versa; that is a positive example of economic co-operation.

The Republic of Ireland clearly remains an important market for Northern Ireland firms. Although good work is being done by the Northern Ireland Executive and the Irish Government, I would like more competition and co-operation between firms in both countries. That means continuing to upgrade the infrastructure in both jurisdictions, including the key transport corridors. Investment is also needed in the skills of our workforces to ensure that those skills are transferable and are recognised in both jurisdictions. That does not require political meddling but simply requires the business sector to become more closely involved with our FE colleges and universities.

We have come some distance in Northern Ireland. We have become more outward-looking, more innovative and more productive. Undoubtedly, co-operation between Northern Ireland and the Republic can continue to be beneficial to both jurisdictions. There will be times when we are in competition. However, we must continue to talk to our counterparts in the Republic to improve our position further in the world economy while keeping our separate identity and autonomy when bidding and doing business worldwide.

**Mr Allister:** I beg to move amendment No 2:

*Leave out all after "commitment" and insert*

*"to practical cross-border co-operation but regards the elaborate North/South bodies established under the Belfast Agreement as neither necessary nor value for money."*

Members will note that the amendment does not take issue with practical, pragmatic, mutually beneficial cross-border co-operation. It takes issue with the squander of the elaborate North/South arrangements and challenges whether those are necessary for that practical co-operation and whether they are value for money. On both counts, they fail the pragmatism test.

We live in a time when all of us are very familiar with the pressures that our constituents live under and the pressures that our economy operates under. In a time of austerity, we are constantly being told of the requirement for savings, and we had more indications of that earlier today. Yet, within that framework, there seems to be a group of North/South bodies and arrangements that are immune, by and large, from all of that and cost us, according to the current Northern Ireland Estimates, a total of £33 million a year. Where, I ask, is the £33 million of added value from those institutions that would not equally be available at the end of a telephone or in a conference call? The reality is that, for practical and pragmatic co-operation, you need the respective Ministers, where there is a mutual interest, to simply have a working —

**Mr Clarke:** Will the Member give way?

**5.45 pm**

**Mr Allister:** When I get into this point, I will give way.

They simply need a working relationship whereby they can, at any time, speak about and resolve an issue. That

does not require spending over £1 million a year on a vanity project such as the North/South Ministerial Council. It does not require us spending £32 million a year on all the intergovernmental structures of "North/Southery". It simply requires a common-sense approach.

How many times have we been in the House and got reports from some of these institutional meetings in which the typing is double-spaced to make it look as though something actually happened? If you took out the coffee breaks or the lunch, the meeting was probably over in 20 minutes because there was nothing to talk about, yet we pour millions upon millions into those structures. Meanwhile, in my constituency and in others, care homes are to be closed, schools are being closed and hospitals are crying out for expenditure. However, when it comes to the sacred cows of the North/South bodies, we have squander and no limit to the lavishing upon them of funding to the extent that I have spoken of. Then, we are told that they are accountable.

**Mr Clarke:** I thank the Member for giving way. We have heard today about going backwards and going forwards, and it is nice to see that the Member for North Antrim has changed his stance and supports North/South work. Given his support for the North/South institutions and the mutual benefit from those, if he had a place on them, would he make a case on the basis of mutual benefit about how the Garda Síochána is now advertising for recruits and the default position is that the person applying must have Gaelic as one of their languages, not only English?

**Mr Allister:** First, this Member has made no change in his position on North/South co-operation. I have always recognised that, where it is practical and sensible, you do it, but you do it at a ministerial level without the need for any of this whatsoever.

As for the Garda Síochána, I have trouble enough trying to keep up with what the PSNI is trying to do sometimes, but, if the honourable Member is right about that, it is indicative of how one-way a process this is. That has been a trend of much of this "North/Southery". It serves a political agenda, not a practical agenda. It ticks boxes of sentiment for the SDLP, Sinn Féin and others, but it adds no value and gives no practical return to anyone.

The degree to which the bodies are sacred cows is illustrated by a number of financial issues, one of which is their pension arrangements. They are in a pension scheme in which the employer can, as in the case of the Special EU Programmes Body (SEUPB), pay up to 31.2% of salary into a pension fund and the employee pays 1.5%. Compare that with the Civil Service in Northern Ireland, where we have rising employee contributions and falling employer contributions. Yet, because and for no reason other than that they are North/South bodies, they have this special treatment and this special provision. Think of it: paying almost a third of salary into a pension fund under the North/South arrangement. It is that sort of squander that has given them the bad name that they already deserve because of the fact that, practically, they do very little for anyone.

We are supposed to now then have them in an accountability state. They are supposed to be accountable. Look at today: we had a statement earlier from the Agriculture Minister on a meeting that took place on 3 May. Here we are on 1 July, two months later, before the

Minister thinks that the House even needs to hear such little as did go on at that meeting. That shows the contempt for accountability. Likewise, we had inland waterways and the language body institutional meetings on 19 June. When is the House to hear about them? September. It is certainly not on the list for us to hear about them tomorrow. We had the trade and the tourism meetings on 26 June. When will the House hear about them? In September, presumably. So, there is not even the fundamental accountability that there ought to be.

Take the Food Safety Promotion Board. It does not employ a single person in Northern Ireland. It is based in Cork and Dublin exclusively, and not a single job is provided. Under these accounts, we have contributed almost £25 million to its upkeep. We are supposed to sit back and sanguinely say, "Isn't it doing a great job?", when, in fact, it is doing nothing for anyone in employment terms on this side of the border.

**Mr McDevitt:** I thank Mr Allister for giving way. I am listening carefully to what he has to say. He is raising issues around how we hold North/South bodies better to account and how we review their efficiency and ensure that they deliver better value for money. Those are the issues that are the terms of reference of the St Andrews review. I appeal to Mr Allister that his political objective may well be best achieved by supporting the St Andrews review and challenging "North/Southery" to be more efficient, more accountable and more open, not by letting the DUP away in the smoke and ignoring it.

**Mr Allister:** My problem with the St Andrews review is that it anticipates an increase, not a decrease, in the functions and numbers of the North/South bodies. That is the premise of the St Andrews review, and, therefore, I am certainly not looking for an increase in functions or numbers of bodies that, as sacred cows, have been a bottomless pit for Northern Ireland taxpayers' money with no return of practical consequence for anyone. The SDLP needs to address the issue the next time that it tells us about its conscience on care homes, schools or the need for public expenditure. It needs to remember why it is the most avid supporter in the House of pouring £33 million a year into the black hole that is the North/South bodies. It has to put practical politics above its political ideology. That is what my amendment seeks to do.

**Mr Speaker:** The Member's time is almost gone.

**Mr Allister:** It seeks to say that, in these times, yes, there should be practical co-operation but not at any price and certainly not at the price of the elaborate arrangements that we have and the £33 million a year that they cost us.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Tá Sinn Féin ag tabhairt tacaíochta don rún. We support the motion, and we are opposed to the two amendments.

First, the results of North/South working, whether they are practical, formal or institutional, are obvious. We live on a small island of five million people, and it makes sense for us to plan our schools, hospitals, agriculture and agrifood industry together. I welcome the North/South Ministerial Council and the resources spent on North/South co-operation because I believe that we get added value. I was a member of the North/South Ministerial Council and was at many of the meetings that dealt with a wide variety of issues from education to language to waterways. Anyone who has attended a presentation by Waterways Ireland

understands the economic benefits of developing our waterways and working together to do so. We have heard the same old diatribe from people, from one Member in particular. Let them explain to the towns and villages why waterways are not supported.

Look at the work that is done in education for some of our most vulnerable children, including special needs children. That is very good North/South work. It looks at best practice, North and South, learning from each other. Some of the best work that I did and best meetings that I attended involved watching professionals from the North and the South working together on special needs, developing best practice for Traveller children or developing Irish language materials for use in primary and post-primary schools, rather than the South developing some and the North developing others. The Members who regularly speak out against the Irish language would be the first to tell us that we are wasting resources through duplication. In this instance, we are now not duplicating and have very good materials.

**Mr Clarke:** It is a dead language.

**Mr Speaker:** Order.

**Ms Ruane:** Look at the INTERREG money. Newry and Mourne District Council and Louth County Council deserve huge mention here for developing one of the first memorandums of understanding in Europe. The reason that we are going to have a bridge at Narrow Water is "North/Southerly", as some people call it. That bridge will benefit everyone: people from the nationalist community and people from the unionist community. People in Kilkeel support it as much as those in Warrenpoint, Omeath or Carlingford. Therefore, I welcome projects such as the Narrow Water bridge and all tourism infrastructure. We do not have enough of it, so let us see more. We need much more working together between North and South.

I welcome the work of DCAL on Foras na Gaeilge and Waterways Ireland. I welcome the North/South Inter-Parliamentary Association. We had a full house in the Senate, in the Houses of the Oireachtas in Leinster House. We have a North/South gateway initiative that benefits Donegal and everyone in Derry, not just one community.

In agriculture, we have an all-Ireland animal health strategy. Diseases do not stop at artificial borders. We maintained fortress Ireland to try to keep out brucellosis and to look at the issues of foot-and-mouth disease and ash dieback. The agrifood sector was referred to by Stephen Moutray, and I agree with him: it is the fastest growing sector at a time of economic recession on this island.

What we must do is get rid of red tape and bureaucracy when we are exporting or moving goods from Dundalk to Newry. Right now, if you want to work on one side of the border and live on the other, the red tape is nonsensical. If you are a teacher and want to move North or South, moving your pension is very difficult. We need to remove all those obstacles.

I agree that practical co-operation is good, but where I disagree with the DUP is that I believe that co-operation needs to be institutionalised. It needs to happen on the formal basis on which it is happening.

Health is showing the way. Let us give credit where credit is due. Specialist operations for children must be provided

for. Who would deny a child with congenital heart disease the right to life? Specialist practice should be promoted on an island of five million people. Who says that someone in Derry should have to drive all the way to Dublin when that person can get dialysis north of the border or vice versa?

**Mr Speaker:** The Member's time has almost gone.

**Ms Ruane:** I support North/South institutions. Yesterday, with other Members, I was proud to be part of the Assembly team in the Mourne mountains with the Oireachtas team.

**6.00 pm**

**Mr Kinahan:** I welcome the opportunity to speak on the issue. The good relations between Northern Ireland and the Republic of Ireland, as well as building on the already strong links between Northern Ireland and the rest of the United Kingdom, are fundamental in continuing the peace process here. In that regard, it is good to have this debate today.

I am happy to reaffirm commitment to the ambition and the values of the Belfast Agreement, and I wish everyone would do so. We brought a motion to the House doing just that in the aftermath of the flag protests. However, we must all realise that the Belfast Agreement was a transitional one. Institutions must change, adapt and grow. For example, Ulster Unionists have called for an official opposition to be created in the House. That was not part of the Belfast Agreement, but it is something that must and will happen in time.

I return to the wording of the motion. It is true that there are improved working relationships between Stormont and the Dáil, and that is to be welcomed. However, that is mainly down to the important changes in the Belfast Agreement, specifically the removal of articles 2 and 3 and the principle of consent. The Republic of Ireland no longer has an aggressive claim over the territory of Northern Ireland written into its constitution, and the principle of consent means that the constitutional position of Northern Ireland is settled well into the future. That has created the conditions for this new and improved relationship far more than the establishment of any body.

I also note the change in the DUP's position from opposing the institutions to actual implementation of them. In its 2003 manifesto, the DUP stated:

*"Uncontrollable all-Ireland bodies are the starting point for a united Ireland",*

Yet it now works together with Sinn Féin to enact the North/South parliamentary forum, which met for the first time in October 2012. It really has very little moral authority on any of these issues.

It must be said that the Narrow Water bridge project does not have much to do with the debate. It was, of course, taken forward by the Finance Minister, who provided the necessary funding in the region of £2.6 million. Of course, we support any economic benefit flowing from this, but I suspect that its mention in the motion is part of the ongoing fight between Sinn Féin and the SDLP over who should be credited with securing the project. We will leave that for them to sort out.

I agree with the SDLP that the St Andrews review should be published as soon as possible. Value for money must



be demonstrated by the cross-border bodies. They should not exist simply to create an illusion of links to one place or another. We should have more confidence in our identity than that. We should all support the urgent completion of the St Andrews review, as that may bring more clarity to these questions. How much value do the North/South bodies actually add? Are improved relationships really down to them? What have they achieved? Are they financially viable?

As I have stated, further progress and co-operation is not necessarily brought about through cross-border bodies. Therefore, if the review shows inefficiencies or a lack of delivery or shows that any particular body is redundant, that body should be modified or scrapped. That is the approach that we should take to quangos across government, as we are vastly overgoverned as it is. Just think about it: three MEPs, 18 MPs, 108 MLAs, 582 councillors, scores of commissioners, quangos and arm's-length bodies and, on top of all that, we have our North/South and east-west bodies. They must all be capable of demonstrating value.

As for the amendments, I note that the DUP is trying to remove all mention of the Belfast Agreement. However, the truth is that the DUP continues to operate that agreement every day, albeit with the meagre changes that, we are told, were secured at St Andrews. Let us look at those for a moment: no solo runs for Ministers — that has not stopped O'Dowd in education; protection of academic selection — O'Dowd is in the process of dismantling the Dickson Plan; a new way of governing parades — we still have an impasse in parading and the unacceptable Parades Commission in operation; Sinn Féin signing up to the rule of law, police and courts — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kinahan:** — with Policing Board member Gerry Kelly —

**Mr Speaker:** Will the Member bring his remarks to a close?

**Mr Kinahan:** — obstructing the police in the course of their duties in north Belfast. Utter failure from the DUP. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kinahan:** We stand against the motion and the amendments.

**Mr Lunn:** I support the motion, which is timely and relevant, and I thank Mr McDevitt and his colleagues for bringing it to the House today. I also acknowledge the DUP and TUV for their amendments and will deal with those first. We will not support Mr Allister's amendment. His ongoing hostility to anything that mentions North/South is well known. I take his point about the figures that he gave us. Expenditure of £33 million and a 31% contribution towards a pension scheme seem excessive. The arrangements may or may not represent value for money, but they remain an essential component of an overall deal, which, in my opinion, benefited unionists and nationalists, and there is no way that they are going to be set aside.

The DUP amendment has more to recommend it, but it removes the important reaffirmation contained in the first line of the motion and the call for urgent completion of the review of the St Andrews Agreement. Therefore, we prefer the unamended motion and will not support the DUP on this occasion.

On an island the size of Ireland, the argument for intelligent co-operation across both jurisdictions has been well made; it should be beneficial to all of us. Others have mentioned the health service, and the Health Minister recognises the benefit, as hospital facilities, such as Daisy Hill, Altnagelvin, Enniskillen, and, I am sure, some on the other side of the border, attract custom from both jurisdictions. Likewise, in the area of children's paediatric services, which Ms Ruane mentioned, there is a recognition that an all-Ireland solution is the obvious and safest outcome, hopefully, involving some services being retained at the Royal Victoria Hospital, but we will have to see. It is intelligent co-operation.

I could mention many other examples of an all-Ireland approach: the single electricity market; the mutual recognition of penalty points; marine management; inland waterways; co-operation on illegal dumping; co-operation between the PSNI and an Garda Síochána; the education corridor along the border; Middletown autism project; and transport links. You could go on and on. I wonder how many of those things would have happened in the absence of agreement between the two countries. We will never really know.

The motion highlights the Narrow Water bridge, which is another necessary and economically justifiable decision that will benefit two beautiful areas — south Down and the Cooley peninsula — which complement each other so obviously. For the record, the Minister of Enterprise, Trade and Investment spent £6.5 million improving the tourism infrastructure in south Down recently. So, why anybody would oppose a bridge to get people to that area is quite beyond me, and I am glad that the Finance Minister has now endorsed it. He took his time over it but he got there in the end.

Politically, the Good Friday Agreement and the St Andrews Agreement are still evolving. They are in transition, as Mr Kinahan said, just like our own institutions, just like this place that we are sitting in. Progress is slow, but it is sure, and we can look at events that might not have happened if the agreements had not been established. Those include the repeal of the Government of Ireland Act and recognition of Northern Ireland's constitutional position; the pardon for Irish Free State soldiers who fought for Britain in the world wars; attendance at Remembrance Day events by senior Irish politicians; the apology for Bloody Sunday — you will see that I am trying to be even-handed here, Mr Speaker — and the monumental achievement of the Queen's visit to Dublin, which others have mentioned. It is amazing how a few words spoken in Irish can soften the hurt of a century of hostility.

I do not believe that any of these things could have been brought about without practical co-operation, given the deep wounds that existed. We needed an international agreement, and we still need it. The Good Friday Agreement remains the bedrock of our achievements and our hope for the future. I hope that the House will acknowledge the benefits that have flowed from those agreements, look to the future, as Mr Campbell said before he left, have a think about this and try to move on. I support the Good Friday Agreement. I support the motion, and I ask the House to do the same.

**Mr G Robinson:** I will speak to amendment No 1. It has to be stated that there are economic benefits to Northern Ireland from cross-border co-operation. The North/South

and British-Irish Councils can bring benefit to the Northern Ireland economy by encouraging that co-operation. Having said that, we must all remember that we in Northern Ireland are part of the United Kingdom, which is where we derive a lot of our economic benefits from. Whatever bodies are in place, they must be of benefit to Northern Ireland, be seen to be accountable to the Northern Ireland Assembly and be value for money. No additional bodies should be created for political reasons, as creating bodies can sometimes be a hindrance rather than a help to good relations, as well as being a burden on an overstretched public purse.

There is a good working relationship between the Assembly and the Government of the South, and that is to be welcomed, as Northern Ireland benefits from that day-to-day co-operation. Due to that bilateral approach, and the benefits to Northern Ireland, unnecessary change is not required. I encourage further use of the existing bodies in the belief that they are more than adequate in continuing the excellent work that has been done for the benefit of Northern Ireland and all its people. I support amendment No 1.

**Mr McAleer:** Go raibh maith agat, a Chathaoirigh. I rise to support the motion and to speak in favour of the concept of North/South co-operation. Basically, as someone who represents a constituency that is right on the border, I see in such areas as Strabane and Lifford, many impediments to, but certainly a lot of benefits of, cross-border co-operation. We see some of the impediments, such as the difficulties in the likes of recognition of teaching qualifications, for example. My colleague Pat Doherty raised the matter in Leinster House recently when he said that the A levels in the North of Ireland are not properly recognised by institutions in the South, which means that only 1% of students from the North head South.

There are other issues, such as international postage costs for posting mail just a few miles down the road, roaming charges and other such matters.

However, we have seen a great deal of benefit from cross-border activity. In deprivation hotspots, such as Strabane, for example, there is a great deal of trade, which has helped keep the economy, which is in a poor state, going.

As we are on the outer edge of Europe, it is important to have a proper strategic infrastructure network in line with the TEN-T commitments. We have seen that most recently with DRD imploring the Irish Government to retain the N16 as a strategic route, so that we may benefit from future TEN-T funding. Indeed, we can see the implications that the A5, which is often spoken about in the Chamber, no earlier than today, in fact, has for the N14 and the N15, which take us to the most westerly parts of the country and, indeed, the EU.

An area in health that has been mentioned is the importance of an all-Ireland solution for services, such as children's heart surgery. We have also seen it with the radiotherapy unit in Altnagelvin in Derry, where, as part of the business case, it is essential that you have input from patients from Donegal and parts of the north-west to keep the service alive.

The message that should be going out from here today is that North/South co-operation makes sense and threatens no one. I speak in favour of the motion.

**Mrs Hale:** I welcome the opportunity to speak on the amendment, which my party colleagues tabled. I unreservedly believe that any North/South bodies or bilateral contacts must provide real tangible benefits for the people of Northern Ireland. Any future developments or further co-operation must be on that principle. The DUP is not in the game of creating further strands of needless bureaucracy at a time when decision-making needs to be efficient and effective.

One of the greatest challenges to the development of further North/South dimensions lies in the remit of the Irish Government in convincing their citizens of the strategic importance in the future. Having better co-operation, increasing trade and sharing some of the key services can be achieved without the need of further expansion to the North/South bodies. With both Governments faced with the question of tougher financial constraints, and forced to find budgetary savings, I question whether it is beneficial to the people of Northern Ireland and, indeed, the Republic of Ireland, to further fund North/South developments in the current economic climate.

Ministers can, and do, talk on a regular basis, and they raise issues on where duplicated services on border issues can be better organised to promote greater efficiency savings — all of that, without the need to expand the current arrangements.

The development of the specialist cancer unit at Altnagelvin is one of the ways in which that process is underpinned, and it illustrates how cross-border relationships can benefit the people of Northern Ireland, while ensuring that finances are being used efficiently.

I hold reservations about developing some joint services, and I echo the earlier statement of the Finance Minister: one must be careful to ensure that we, the UK taxpayer, are not providing services without receiving payment. To do so, would mean that cross-border services were becoming a net cost to the UK taxpayer.

### 6.15 pm

A number of weeks ago, the Assembly welcomed the economic package that had been agreed between the Prime Minister, the First Minister and the deputy First Minister. In that context, all effort in the Chamber must be directed at finding jobs and creating stronger trading links in the UK and Europe while ensuring that people can afford to sustain themselves and their families. Although North/South co-operation is important, one must ensure that our focus is directed at not only short-term but long-term economic prosperity for all people in Northern Ireland.

The DUP has consistently argued against any increase in bureaucracy, be it North/South or even internally in Northern Ireland. We will simply not allow the SDLP's political agenda to dictate what it believes to be in the best interests of the people of Northern Ireland at a time when government cuts are being made. Indeed, we have seen evidence of that in the House today. Any form of further bureaucracy and draining of stretched public finances is not welcomed or supported on this side of the House.

I welcome and support the DUP amendment.

**Mr Maskey:** I support the motion and oppose both amendments. In the first instance, I oppose the

amendment from Jim Allister because he is absolutely opposed to all aspects of the Good Friday Agreement and, indeed, subsequent agreements and, for that reason, will take every opportunity to speak against the potential and real benefits that flow from those agreements. I have to say that the DUP amendment simply falls very short of what is either desirable or, in fact, the reality. Virtually all matters in the House are politically sensitive. In that amendment, there is almost an element of, "You say potayto, I say potato." When somebody talks about practical co-operation, I am fine with that. However, we also have to understand that we have institutional arrangements. Those arrangements are important and beneficial. For Sinn Féin, the lesson has been that the more co-operation there actually is — whether it be practical, as it might be described, or institutional through the North/South Ministerial Council — the better because all of it is beneficial and helpful. We argue that when you tot up the money and the potential — there is still a lot of work to be done on that — and quantify the benefits of all areas of co-operation, it is, clearly, a net absolute benefit to all citizens; not only those whom we represent directly, but people right across the island.

Earlier, my colleagues Cairtriona Ruane and Declan McAleer itemised areas of co-operation and joint activity that happens between the Governments. Other Members have identified a range of initiatives that have been beneficial. I have to say that that has come from all parties. Everybody who has spoken so far has identified an area or areas of co-operation, if you call it that, or other manifestations of working together that have been beneficial. That is a good thing. As a party, we are encouraged by contributions this afternoon, with the exception, perhaps, of Danny Kinahan's, which is regrettable. That having been said, what we are getting more and more from the Ulster Unionist Party seems to be that every contribution that it makes in the House is negative. I suppose that it has become the biggest "No" party in the Assembly. Danny's contribution failed to recognise one very simple thing: at the time of the Good Friday Agreement, his party's then leader, David Trimble, almost single-handedly — and we challenged Bertie Ahern, the then Taoiseach — agreed the detail of the North/South bodies that flowed from the Good Friday Agreement. The Ulster Unionist Party had a significant role in that. Now, the Member is just dismissing the contribution that his then party leader made. Then again, that is the daily diet — I might say diatribe — that we get from the Ulster Unionist Party in the House; negative against everything and supportive of nothing.

As I said, my party welcomes the contributions that we have heard from all the other Members because, even if they support one amendment or the other, they have all identified areas of co-operation that have been beneficial to people whom we represent. Anybody under God who can then go on to say that we should not have that, or that we should minimise it or pretend that it does not happen, is foolish. What we want is to get to the point where we do not only say that the institutions are there. I do not care what people call an institution; they can call it whatever they wish. We have had the "Belfast Agreement" and the "Good Friday Agreement". The fact is that we are working it and working through all those institutions. More are still to be delivered, and hopefully we can do that in time. It was agreed and endorsed by people right across this island at

the time, after an awful lot of hard work and sacrifice by people in communities who wanted people, parties and Governments to come together and make agreements that will last, will benefit people and will take us away from the instability, violence, conflict and repression of the past to a place where we co-operate with each other.

The Good Friday Agreement and the subsequent arrangements provide for all parties in the Chamber to work together and share power. As I stand here, I know in my heart that if we did not have the institutional arrangements, we would not have power sharing. So, let us work with what we have — the institutions and agreements. Whether we like them or not, or whether we like bits of them or not, they are there, and they are institutionalised. Other party Members and representatives identified areas of co-operation that people have pragmatically adopted because they know in their heart of hearts, with the evidence to underpin their arguments, that those arrangements are beneficial to the people we all collectively represent. What we need to do —

**Mr Speaker:** The Member's time is almost gone.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. What we need to do now is make sure that we work to maximise the benefit of all these institutions and use them as tools to make life better for all the people whom we represent.

**Dr McDonnell:** I am glad to support the motion and oppose both amendments. I oppose the amendments because, quite simply, they seek to undermine, weaken, reduce and minimise the importance of North/South co-operation in the context of the Good Friday Agreement, which is its true and proper context.

The amendments are strong in their praise of practical co-operation, which is welcome, but after all that, what sensible person would oppose co-operation that is undoubtedly beneficial to all our people? Not so long ago, many opponents of the Good Friday Agreement did just that. They condemned cross-border co-operation in all its forms, however harmless or beneficial, on the narrowest of political grounds. We have moved on a little, but not too far. The public have moved on much further.

Ordinary people are conducting their own forms of cross-border co-operation every single day of the week, and anyone trying to erect new barriers on the island would be laughed out of office. Yet even now, when the benefits of co-operation are manifold, when world leaders come here to commend and encourage co-operation and when we are being held up as an example of progress to the world, there are still those who contrive to sound as mean-spirited as possible about the whole concept.

They — the opponents of the Good Friday Agreement — still seek to limit co-operation on political grounds or, at the extreme end, even to try to abolish it. Above all, they seek to deny and diminish the fact that North/South co-operation is an expression of the will of the people on this island, North and South. They seek to separate the positive, practical outworkings of co-operation from its grounding in the 1998 agreement. They seek to hide the political reality that has the backing of the largest mandate that ever existed on this island, but no one can claim to have any mandate to diminish it.

Our motion locates the working relationship between our devolved institutions and the Irish Government firmly and clearly within the ambitions, values and institutions borne out of the Belfast Agreement. Here is the bit that one-time and ongoing opponents of the agreement have trouble facing up to: we all in the House — each and every one of us, supporters and opponents of the agreement alike — exist because of that agreement, and we all draw our salaries on the basis of that agreement.

**Mr Clarke:** *[Interruption.]*

**Mr Speaker:** Order.

**Dr McDonnell:** Some in the House may have fought elections based on questioning, opposing or seeking to limit the outworkings of the agreement, such as North/South co-operation, but that changes nothing. It is still the founding document of these devolved institutions that we enjoy. It sets the shape and contours of our representation of the electorate, who have already signed up in unprecedented numbers for a programme of power sharing and partnership.

**Mr Givan:** Will the Member give way?

**Dr McDonnell:** Sorry; no. I have a lot to get through. Thank you.

Fifteen years on, there are still those who remain in denial about the nature and significance of that agreement. There are still some who peddle the fiction that it was in some way superseded at St Andrews, when, in reality, the St Andrews Agreement was a mere footnote that threw a few concessions here and there in one or two directions. It did not limit the ambition of the original agreement for co-operation, but we believe that the time has come to begin to realise the full ambition of the Good Friday Agreement. The time has come for the two Governments to complete urgently the review of the St Andrews Agreement so that we can widen and deepen co-operation and reap its full potential for economic and social benefit. We have been waiting for over six years for that review, and whether the delay is borne of political hostility or political doubt, political certainty must now be forthcoming at the North/South Ministerial Council.

We will continue to push for that political certainty. We will continue to welcome progress where it is made, and we will never cease to challenge in the interest of building peace and prosperity on this island. I therefore appeal to Members on all sides of the House to approach co-operation from the viewpoint of mutual benefit and appraise all proposals on their merits, except perhaps at the most basic of tribal levels.

**Mr Speaker:** The Member's time is almost up.

**Dr McDonnell:** There is in fact little or no politics in the concept any more.

I will leave it at that, Mr Speaker.

**Mr McCallister:** I voted yes in 1998 and have never changed my mind about the Good Friday Agreement. I supported it and continue to support it, and I will not apologise for bits of it to get cheap applause. I am not suggesting that anyone else do that, because I think that if you sign up to and believe in something at the time, you should stick to that, and I have had no reason to be proven wrong. When I look across the Chamber, I see the many, as Dr McDonnell rightly said, who derive their salaries

from being here. They do so because of the institutions set up by the Good Friday Agreement. They may not like that, but they derive their salaries from it. I notice that Mr Givan is pointing across the Chamber. He may want to remember the old saying, "When you point a finger one way, there are three pointing back at you."

Several points came up in today's debate. The one part that stands out for me is that, despite the debate on the motion and the amendments, we have all agreed that we want sensible, practical North/South arrangements that deliver for all the citizens whom we represent — indeed, for all citizens across the island of Ireland, whether North or South — and can make a difference to their life. There was one very practical example of this, when we all urged Minister Poots that if it made sense to do children's cardiac surgery in Dublin and it was a practical, sensible way of moving forward while retaining as much of the service in Belfast as possible, that was to the good of everyone. It did not harm anyone, and it worked towards a sensible outcome for all the people whom we seek to serve. That is the kind of sensible, practical outworking that we want.

The SDLP motion refers to a review. We should not fear a review of the agreement. I say to colleagues in the SDLP that they must also accept that a review might mean that we scrap certain bodies or change the way in which they operate, if that means that they evolve and move to a more practical level. We should not look at the agreement as though it was set in tablets of stone. It was always meant to evolve and move on.

Mr Kinahan mentioned opposition. Certainly, when I was a member of the Ulster Unionist Party, very few people advocated opposition more strongly than I did, within the party and outside it. I want these institutions to evolve, a subject that we will debate tomorrow. I want the North/South element of the agreement to evolve and look at practical and sensible ways of working.

Mr Allister gave us some very stark figures about the cost. All Members will be aware that some of the reports back from North/South meetings have been very light on details of what has been achieved. There are always things that we should do and that we want to look at to keep pressure on, North and South.

### 6.30 pm

I served for a number of years on the Health Committee. It is difficult to pursue people across the border for crimes or, indeed, to monitor sex offenders in a different jurisdiction. Those are practical things that we need to look at. Those are practical benefits that, wherever you live, safeguard our children and vulnerable adults, and they are things that we have to do. That is why I have the confidence to support the SDLP motion and to oppose the amendments. I think that it is right that we review this, look at the practical outworkings and try to deliver what is best for the people in Northern Ireland.

**Mr Allister:** The most interesting part of the debate is that it turns out that those who are caught in a time warp are the biggest advocates of the Belfast Agreement. Their blind, unquestioning loyalty to the Belfast Agreement means that they cannot even embrace issues such as efficiency and sensible change. They are so wedded to those institutions that they have no concern that they are costing us £33 million a year and no concern that some of

the meetings are farcical and that they have to spin out a report to make it sound like anything. They also have no concern that money is being wasted hand over fist when the very same level of co-operation could be attained down the telephone, by a conference call or by a face-to-face meeting without the apparatus and all that goes with the Belfast Agreement. It is unfortunate that the time-warping of some is such that they just cannot — will not — look at any of that.

Someone said that the arrangements are part of a balanced settlement. Let me remind the House that we were told that it was imperative that there were North/South arrangements. We were also told that there would be east-west arrangements of equal validity. How has it turned out? Since the restoration of devolution in 2007, there have been 152 North/South meetings in sectoral, institutional or plenary format under the North/South Ministerial Council. What of the British-Irish Council? There have been but 28 meetings in its various formats in those same six years. Yet, we are told that it is supposed to be a balanced arrangement. For every one of the British-Irish Council meetings, there have been more than five North/South meetings. What about the cost? The most recent figures show that the British-Irish arrangements cost £170,000 a year, to which we contribute £15,000. That is £15,000 as opposed to £33 million.

**Mr A Maginness:** Will the Member give way?

**Mr Allister:** We are told that this is all part of some sort of equitable settlement, but it is quite clear that the politicising that is afoot is driving the “North/Southern”. The mere window dressing of the British east-west co-operation is exactly that: window dressing. I will give way to the Member.

**Mr A Maginness:** The Member talked about east-west relations. I think that those are a good example of how positive relationships between Ireland and Britain have come about. Could the Member imagine that happening without the Good Friday Agreement?

**Mr Speaker:** The Member has a minute added to his time.

**Mr Allister:** The Member contradicts himself. The good improvements in east-west relations have come with none of that apparatus. There are no institutional bodies that parallel the North/South bodies. If it can be done, and, according to the Member, it has been done on an east-west basis without that apparatus at a price of £15,000 a year, why on earth does it take all the apparatus and grandeur of the North/South bodies, and £33 million to boot, to get a response in that direction? The Member answers his own question.

It is time that the House looked seriously at the squander on the North/South bodies. The House should recognise that they can longer continue to be that sacred cow. They must be addressed, and there must be a cull in that expenditure. That cull is something that the taxpayers require, because there is no return to match it. It is a one-way process of squander, and it is time that the House faced up to that.

Finally, I do not draw my salary because of the Belfast Agreement. I draw my salary courtesy of the electorate, who sent me here. That is how I draw my salary. I am beholden to no one but the electorate, and I am certainly not beholden to the iniquitous, partial Belfast Agreement.

**Mr Givan:** It seems that — I agree with Mr Allister on this point — we are stuck in a time warp. The SDLP in particular is stuck in a time warp, and it brings to mind —

**Mr A Maginness:** What time warp is Mr Allister in?

**Mr Allister:** Two thousand and thirteen.

**Mr Speaker:** Order.

**Mr Givan:** It brings to mind the line of the song:

*“Let’s do the time warp again”.*

Interestingly, that line is taken from the musical ‘The Rocky Horror Show’. One could say that it is very apt that it is taken from that particular musical when we look at the Belfast Agreement. Of course, the Ulster Unionist Party and the SDLP were signatories to that agreement. They were the leading parties that negotiated it.

I understand that Members from the SDLP want to ensure that it is seen as the party that delivered that agreement so that they can sell that to their electorate. They are entitled to do so. However, the Belfast Agreement was not as it has been eulogised by them. It did not create some form of perfection. It had political instability. Need I remind the SDLP that, under its watch and that of the Ulster Unionist Party, this place was suspended on numerous occasions because they were unable to carry out the work that they had started. Previous leader of the SDLP Mark Durkan said that we needed to dismantle the “ugly scaffolding” of the Belfast Agreement. Scaffolding that the SDLP and the Ulster Unionist Party created. Perhaps SDLP Members want to go back to one of their previous leaders and tell him that he got it wrong. Conall McDevitt’s navel-gazing has now resulted in his realising that Mark Durkan was wrong to say that it was “ugly scaffolding. He wants to protect the agreement, and he thinks that it was the right thing to do. Clearly it was not, and changes need to be made.

The Belfast Agreement that the Ulster Unionist Party also signed up to created the discrimination against Protestants who wanted to join the police force. It denigrated the contribution that was made by the Royal Ulster Constabulary. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Givan:** The Ulster Unionist Party also signed the Belfast Agreement. As Members from that party spend their contributions trying to do a Pontius Pilate, washing their hands and being the hypocrites that they are, they need to remind themselves that they were also signatories to it. They are the ones who created the mess that those who followed from the Democratic Unionist Party had to clear up. It was through the St Andrews Agreement that we brought in accountability. *[Interruption.]*

**Mr Speaker:** Order, Members.

**Mr Givan:** Therefore, whenever Mr Kinahan talked about uncontrollable North/South bodies, he was right. We made it very clear that the Belfast Agreement created uncontrollable bodies. It did, and the St Andrews Agreement changed that, and we brought accountability back into it. That is why, in his contribution, Mr Allister did not mention that the North/South institutions are an embryonic all-Ireland. He did not mention that once, because we effectively neutered the agenda that the Belfast Agreement had created. That is why the Member for North Antrim did not mention that. However, he was

right to say that we need to focus on the costs of the North/South bodies.

**Mr Speaker:** Order.

**Mr Givan:** We do need to make sure that they operate efficiently and effectively, but I think it is notable that Mr Allister indicated that he supports practical North/South arrangements, as does this party.

We support accountable North/South bodies, unlike the Ulster Unionist Party, which supported those North/South bodies that had no accountability to the Assembly. That is why now we only deal with statements that come to the Assembly two months after. I agree that they should have come much earlier, but if that is the extent of the criticism of what now happens within "North/Southerly", I think that people can rest assured that this party has effectively dealt with the all-Ireland agenda that was contained in the Belfast Agreement.

**Mr A Maginness:** Will the Member give way?

**Mr Givan:** I will give way to Mr Maginness; I need another minute.

**Mr A Maginness:** I thank the Member for giving way. Will he note that today a Minister from the Irish Government laid a wreath at the cenotaph in Belfast in commemoration of the Battle of the Somme? Is that not a positive aspect arising directly out of the Belfast Agreement? Could you have imagined that happening without the Belfast Agreement?

**Mr Speaker:** The Member has a minute added on to his time.

**Mr Givan:** Thank you, Mr Speaker. I welcome it. I do not think that the Belfast Agreement was necessarily the catalyst that made it happen, but I welcome it nevertheless. *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to be heard.

**Mr Givan:** It is right that we develop relationships on a North/South basis to ensure that we have a peaceful and harmonious society. It might be useful if the leader of the SDLP tried to build relationships with this party, rather than calling us bigots. That would be a good place for him to start trying to build a harmonious environment in this place. Nevertheless, this party does support practical co-operation. Our amendment deals with the British-Irish Council. Mr Allister, quite rightly, put Mr Maginness right in saying that we have had "good improvement in east-west relations" without the costs that you can attribute to the North/South bodies. Our amendment highlights that.

I think it would be useful to build the North/South relationships for the Republic of Ireland to rejoin the Commonwealth. That would be a good step for the Republic of Ireland to take to show that it is genuine and that it responds to how Her Majesty the Queen conducted herself in that way in the South. Let us build relationships with people in the Republic. I will be honest: there are issues in which I have a much closer allegiance to the Republic of Ireland than to the United Kingdom. I take the protection of the unborn child as the prime example. I have a much greater allegiance to people in the South when it comes to that particular issue.

**Mr Speaker:** The Member's time is almost gone.

**Mr Givan:** That is why Members in this place have sent a letter to the Taoiseach in respect of it.

**Mr Speaker:** The Member's time is up.

**Mr Givan:** Let us build good relationships where it is practical and where it benefits all our people.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Fáiltím roimh an deis cainte ar an rún thábhachtach seo. Thank you very much for the opportunity to make a winding-up speech on the motion. I think it was a useful debate and generally, apart from one or two exceptions, quite even-tempered. I welcome that.

For the motion, Conall McDevitt began by congratulating two DUP Ministers for the good work that they had done on North/South co-operation. He mentioned in particular the work of the Minister of Health, and gave the example of the cancer centre at Altnagelvin as a useful example of North/South co-operation. He also mentioned the words of Arlene Foster, the Enterprise, Trade and Investment Minister, in relation to celebrating the spin-offs of the G8 conference, particularly for North/South tourism. He said that those opportunities would not be there were it not for the institutions of the Good Friday Agreement.

He also agreed with Mr Campbell that the purpose of the motion was not to look back but to look forward. He said that the St Andrews Agreement allows for an objective review of the whole area of co-operation. He said that the St Andrews Agreement offered a challenge that had not yet been met. He made the point that it is not a question of making a political football out of co-operation but it is about deepening co-operation where it needs to be deepened and changing it where it needs to be changed. He said that we do this for the good of all our people. Mr McDevitt also said that we need to approach the review in a positive manner, with an eye to the future.

#### 6.45 pm

Stephen Moutray accused me and Mr McDevitt of political grandstanding. You can see that I am very dismayed by that. Had he listened to Mr McDevitt's speech, however, he would have heard clearly that what Mr McDevitt said was far from the substance of that accusation. In fact, what Mr Moutray had to say about transport and infrastructure was positive and in keeping with the terms of the SDLP motion. He was arguing for expanded and developed co-operation, which we in the SDLP also welcome.

Mr Allister, on the other hand, challenged the usefulness of the North/South bodies against what he described as practical co-operation, but he failed to recognise the role of the North/South bodies in improving, encouraging and developing practical co-operation. He was eloquent in underlining the need for more work to be done by the North/South Ministerial Council, and I agree with him that it needs to do more work. That is certainly implied in our motion. I most sincerely thank Mr Allister for reinforcing that point for me and for my party.

Mr Allister also made the point that there needs to be more prompt reporting on North/South Ministerial Council meetings. I would not take issue with him on that. In fact, Conall McDevitt pointed out to him that the St Andrews review would allow for improvement in accountability and for many of the improvements that Mr Allister seems to seek.

Dr McDonnell said that the time had come for the two Governments to complete urgently the review of the St Andrews Agreement so that we can widen and deepen co-operation and reap its full potential for economic and social development. He appealed to Members on all sides of the House to approach co-operation from the true viewpoint of mutual benefit and to appraise all proposals on their merits. He said that except for, perhaps, at the most basic of tribal levels, there is little or no politics in the concept anymore.

He would, I am sure, give the example of the Narrow Water bridge, which is mentioned in the motion. I sincerely hope that that will shortly arise as a symbol and, indeed, an icon of co-operation. When that project was first discussed, there were various strands of opposition, some of which, perhaps, were not thought through very well, and others were extremely local in nature.

However, when it became clear that the project could be completed in a short time frame, almost all the opposition melted away because of the sheer positive logic of the project. It is so simply, clearly and obviously beneficial to the immediate area and, indeed, to a large part of Northern Ireland that people were quickly converted, and that support was unquestionably cross-community as well as cross-border.

There were a few voices heard in opposition to anything cross-border on political or what we would call constitutional grounds, but they were like a dim echo from a distant and unpleasant past, which half our population does not remember and the other half would very much like to forget.

We heard from Caitríona Ruane and other contributors from Sinn Féin who supported the motion. They pointed out the good sense of co-operation across such a small island. Ms Ruane outlined the practical projects in education that had helped to prevent duplication of services, North and South, and she spoke about the need to remove obstacles to the free flow of workers across the jurisdictions.

I thought that Trevor Lunn made very good points. He pointed out that co-operation arising out of the Good Friday Agreement goes far beyond mere practical co-operation. He mentioned the apology for Bloody Sunday, the visit of the Queen to Dublin, the amnesty for Irish soldiers who fought for Britain and the attendance, as Mr Maginness pointed out, of Irish Ministers at remembrance ceremonies. Those examples go far beyond practical co-operation and are direct products of the Good Friday Agreement.

Mr Kinahan mentioned the good relations that have arisen on a North/South basis and the need to build on the peace process. He recognised that all the major parties in the Assembly now support the Good Friday Agreement, although his own party's support for it is somewhat in question. Some Members pointed out that his party was one of the main parties that negotiated the agreement. One is left wondering whether that party has done yet another U-turn. *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr D Bradley:** Mr Kinahan said that he would not be supporting the motion, which indicates that the Ulster Unionist Party has deserted the Good Friday Agreement,

which I very much regret. It seems that the DUP is now the champion of the Good Friday Agreement and that the UUP has retreated from that position and is more eager to align itself with the type of attitudes expressed by Mr Allister. That is to be regretted.

What the SDLP and the other parties that support the motion have argued today has been rational, sensible and based not only on practical co-operation but on the other benefits that arise from North/South co-operation, some of which I mentioned. I urge all parties to support the motion.

**Mr Speaker:** Before I put the Question on amendment No 1, I remind Members that if it is made, I will not put the Question on amendment No 2 as that amendment will have been overtaken by the decision on amendment No 1.

*Question put, That amendment No 1 be made.*

*The Assembly divided:*

*Ayes 30; Noes 59.*

#### AYES

*Mr Agnew, Mr Allister, Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

#### NOES

*Mr Attwood, Mr Beggs, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.*

*Tellers for the Noes: Mr A Maginness and Mr Rogers.*

*Question accordingly negatived.*

*Question, That amendment No 2 be made, put and negatived.*

*Main Question put.*

**Mr Speaker:** I have been advised by the party Whips that, in accordance with Standing Order 27(1A)(b), there is an agreement that we dispense with the three minutes and move straight to the Division.

*The Assembly divided:*

*Ayes 52; Noes 37.*

#### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry,*

*Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly,  
Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle,  
Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann,  
Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea,  
Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan,  
Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt,  
Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness,  
Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín,  
Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey,  
Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr A Maginness and Mr Rogers.*

**NOES**

*Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley,  
Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke,  
Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton,  
Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan,  
Mrs Hale, Mr Hamilton, Mr Kennedy, Mr Kinahan,  
Mr McCausland, Mr I McCrea, Mr D McIlveen,  
Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton,  
Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson,  
Mr Ross, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Mr Clarke and Mr G Robinson.*

*Main Question accordingly agreed to.*

*Resolved:*

*That this Assembly reaffirms its commitment to the ambition, values and institutions borne out of the Belfast Agreement; notes the improved working relationship between the Governments on this island including through the North/South Ministerial Council and British-Irish Council; welcomes the recent progress on the Narrow Water bridge project; and calls on the Executive, in conjunction with the British and Irish Governments, to complete urgently the review of the St Andrews Agreement to allow further progress on North/South co-operation in order to bring benefits to all of the people of this island.*

*Adjourned at 7.15 pm.*



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# Northern Ireland Assembly

Tuesday 2 July 2013

*The Assembly met at 10.30 am (Mr Speaker in the Chair).*

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** The Minister of the Environment has informed me that he will not make a statement on Planning Policy Statement 21 this morning. I believe that his intention is to issue a written ministerial statement in due course. Members will note that revised indicative timings have been issued.

## Ministerial Statements

### **Building a Prosperous and United Community**

**Mr P Robinson (The First Minister):** I welcome the opportunity to make a statement to the Assembly about the economic package Building a Prosperous and United Community, announced by the Prime Minister, the deputy First Minister and me in Downing Street on 14 June. This important initiative contains a range of measures to help rebalance the local economy and secure a shared future for everyone in Northern Ireland. The Assembly will be aware that this package was in development over the last two and a half months and was only finalised just ahead of the G8 conference.

There have been some criticisms that the significant economic pact, which affects the House and the Executive, was agreed without a statement to the Assembly. The facts are that the pact was subject to Executive approval, and indeed the Executive ratified it at the very next meeting following the G8 last Thursday. Today, at the first available opportunity, I am now in a position to provide Members with the details.

As regards the package itself, the Government and the Executive are committed to working together to tackle the important issues of rebalancing the economy to meet the challenges of promoting investment and jobs here and to addressing the chronic entrenched divisions in this society. Progress on both of those is vital if Northern Ireland is to maximise its potential.

The measures in the economic package ratified by the Executive complement the proposals in the Together: Building a United Community strategy that we announced on 9 May. It was aimed at tackling divisions and building a shared future. I am delighted that ministerial colleagues, at our meeting last Thursday, regarded the 'Together: Building a United Community' document as a positive starting point and unanimously committed the Executive to its delivery. Northern Ireland needs the right economic plan to promote a stronger private sector, and it needs the right social plan to help build a more cohesive, shared society. This package requires the Government and the Executive to work imaginatively to help Northern Ireland move in that direction.

Many of the measures in the economic package sit well alongside actions already being taken to grow the local economy and increase employment opportunities and prosperity for all. Even so, it is important to note that the measures in 'Building a Prosperous and United Community' are not a substitute for the Executive's aim in

relation to corporation tax. The Executive will, therefore, continue to push for corporation tax powers to help provide the necessary stimulus for economic growth. I believe, like the many hundreds of people who responded positively to the public consultation on the issue, that this measure, above all others, has the ability to deliver the necessary economic step change. Devolution of this power would allow the Executive to meet their shared objective of rebalancing the local economy more quickly than if they were reliant on the policy levers currently available alongside those outlined in the package.

As the package on its own is not enough, pressing the Government for the devolution of corporation tax remains the Executive's key priority, and officials are examining the actions that could be taken forward now, so that a devolved rate could be implemented as soon as possible after what, it is hoped, will be a positive decision by the UK Government in the autumn of 2014. Although it is obviously disappointing that the Prime Minister does not intend to make a decision on the devolution of corporation tax until the autumn of 2014, the Executive remain committed to securing these important powers and welcome the Government's commitment, should they take a positive decision, to implement that decision during this parliamentary term.

Before looking at the detail of the package, it is worth highlighting the Executive's own proposals aimed at building a united community. The Executive are determined to work to achieve that goal and, by acknowledging the 'Together: Building a United Community' document as a positive starting point, are emphasising that there are a number of elements of the plan that individual parties consider do not represent the height of their ambition. Importantly, every Minister has committed to the delivery of the strategy.

Good relations across all parts of our community are an essential ingredient of building a prosperous, peaceful and safe society that is enriched by diversity and is welcoming to all. Specifically, tackling the twin blights of sectarianism and racism, in addition to other forms of intolerance, is essential in shaping a shared and cohesive community equipped to face the challenges of an ever-changing world. The Executive's vision is of a united community based on equality of opportunity and the desirability of good relations and reconciliation, a community strengthened by its diversity, in which cultural expression is celebrated and embraced and in which everyone can live, learn, work and socialise free from prejudice, hate and intolerance.

A substantial new package of measures to build this shared future was announced on 9 May. The proposals included a programme to reduce and ultimately eliminate all the peace walls by 2023; 10,000 United Youth programme cross-community placements for young people; 10 shared educational campuses in five years; and 10 shared neighbourhood developments. The blueprint, 'Together: Building a United Community', which was published on 23 May, set out a detailed framework for Executive action; the measures in the economic package complement that plan.

Moving on to the package itself, there are a number of significant measures to note. The Executive welcome the UK Government's clear commitment to take a decision on the devolution of corporation tax powers by autumn 2014. They welcome the opportunities provided by the additional

resources that are being made available through additional EU funding and the increase in the RRI borrowing limit. The Executive also welcome the commitment that all of Northern Ireland will continue to enjoy assisted area status post 2013. The commitments to establish a joint ministerial task force to examine whether tailored support is required for our local banks is also of significance. The Executive welcome the UK Government's pledge to work together to improve the uptake of UK-wide schemes aimed at improving business access to finance in the local economy.

I will now examine the detail of each of the main measures in turn. The package commits the Government to take forward further work on the devolution of corporation tax powers and to make a final decision on their devolution no later than the autumn statement of 2014. The Executive note and are grateful for that clear commitment. The package also indicates that, if a positive decision is made on corporation tax rate powers, the Government would introduce a stand-alone Bill in the normal way, with the aim of its becoming law before the prorogation of Parliament prior to the 2015 general election. Again, the assurances that the necessary legislation can be introduced before the end of the current Parliament are to be welcomed.

The package also commits the Executive and the Government to examine the potential for devolving specific additional fiscal powers. That work will include looking at the opportunities for a corresponding and ongoing increase in the Executive's annual capital borrowing limit proportionate to any additional revenue-raising powers and considering wider issues of affordability. The Executive and the Government recognise that decisions around any further fiscal devolution require careful consideration. Following that examination, recommendations for further devolution will be put to Executive and Government Ministers by autumn 2014.

The UK Government are to make available up to an additional £50 million in 2014-15 and 2015-16 in borrowing powers. The Executive welcome that short-term boost to our capital borrowing. Any enhanced ability that allows the Executive to commit to additional capital projects is a positive step, and the additional RRI borrowing will be used to help to support specific shared housing and education proposals for the benefit of our citizens.

The Executive and the Government recognise the important role that Peace funding has played in supporting cross-community projects to promote reconciliation and in tackling inequalities and disadvantage. As a result of the EU budget negotiations, the Peace programme has now secured €150 million funding for a future Peace IV. Under that package, the Executive are encouraged by the Government's commitment to allocate a further €50 million from the UK's European territorial co-operation allocation, subject to confirmation of the UK's allocation. The Executive have agreed that they will seek, where appropriate, to use that additional funding to support the United Youth programme announced on 9 May. They will also seek North/South Ministerial Council agreement to ensuring that submissions to the Special EU Programmes Body put building a shared and integrated society at the heart of the Executive's objectives for the Peace IV programme.

EU structural funds play an important role in promoting competitiveness and enterprise and have the potential to

support cross-cutting programmes to build a shared and cohesive society. The Executive and the Government recognised the concern that the EU criteria for the allocation of structural funds for 2014-2020 would have led to a 43% reduction in funding for the local economy. Under the terms of the new package, the Executive welcome the confirmation that the UK Government are committed to revising the allocation of post-2014 structural funds across the UK. The increase in our allocation to €457 million, reflecting an additional €181 million for the investment for jobs and growth objective, will enable additional spending on the Executive's priorities for research and innovation, SME competitiveness, renewable energy, employment, skills and social inclusion.

As Members will be aware, the Executive face unique challenges in rebalancing the local economy and in addressing disadvantage and continuing divisions. The current 100% assisted area status enables them to provide targeted support to a range of private sector-led projects throughout Northern Ireland. Selective financial assistance provided through Invest Northern Ireland, for example, has helped to promote more than 3,000 new jobs here in the past three months alone. As part of the economic package, the Government will continue with 100% assisted area status coverage for this region, and the policy will be retained for at least the medium term. The Executive, therefore, welcome the decision to maintain 100% assisted area status. The ability to continue to provide regional aid has been recognised by all parties in the Executive, and that decision will enable the Executive, working through Invest Northern Ireland, to continue to offer selective financial assistance (SFA) beyond 2014. The outcome will be to help drive continued investment and business expansion in the local economy. In the most recent financial year, ended March 2013, Invest NI promoted almost 7,400 new jobs and levered nearly £608 million of investment on the back of the support provided through SFA. The Executive will continue to support the UK Government in their ongoing discussions with the European Commission about finalisation of the regional aid guidelines post 2013.

#### 10.45 am

These tough economic times point up the significant challenges facing local banks. The Government and the Executive recognise that difficulties in accessing finance remain a major concern for local businesses. In particular, a significant number of local businesses are currently constrained by the repayments required on loans taken for past property investments. That property overhang means that those businesses can no longer access the working capital they need to operate or to develop new opportunities, and that presents a risk to economic recovery. The ability of businesses to access necessary finance is a key challenge facing the local economy at the present time. The Executive have taken measures, principally through Invest Northern Ireland, to develop alternative sources of funding for local businesses. Ministers continue to press the banks that operate locally to increase lending and to make full use of the range of UK-wide schemes that have been introduced to help.

The Executive have noted the Government's recognition that UK-wide schemes to improve the flow of finance to businesses have not been as effective in Northern Ireland as they have been elsewhere. They welcome

the commitment to ensure that UK-wide schemes are better promoted and deliver a positive impact in the local economy. That includes extension of the start-up loan scheme and a potential pilot extension of the enterprise finance guarantee scheme here. The creation of a joint ministerial task force to examine how access to finance can be improved is a necessary step. That is an issue that is critical to the Province's economic recovery and rebalancing efforts, and only through such formal engagement will it have a real chance of tackling the problems facing the local banking sector.

The Finance Minister met the Economic Secretary to the Treasury last month to discuss what he believed needed to be done, including some quite fundamental changes to enable increased lending to businesses. The Executive are pleased that the Government now recognise that a regional response to our banking issues is required. The point of this is to make sure that Northern Ireland's particular circumstances are fully taken into account when national schemes to improve access to finance are being designed.

Importantly, the package also contains measures for increased support for trade and investment, and the Executive are delighted by the Prime Minister's decision to return to Northern Ireland for the Executive's G8 investment conference in October. In particular, the Executive welcome the associated commitment to further champion jobs and growth locally by strengthening and deepening the linkages between UKTI and Invest NI.

The Executive are encouraged by the UK Government's commitment to work with them to identify improvements that can be made to various export finance support mechanisms. The continuing UK Government commitment to support R&D projects in the aerospace sector is also very much appreciated, as those measures will complement the priority that the Executive have given to growing the local economy through export-led growth and investment in R&D and innovation.

In the area of tourism, the proposals in the package to develop visa waiver arrangements between the UK and Ireland have considerable scope for impact. In the longer term, the measure will allow visitors from a range of overseas destinations to enter Northern Ireland and Great Britain on an Irish visa. The development of a pilot scheme will provide the platform to help realise the Executive's ambition to make tourism a £1 billion industry by 2020. The visa arrangement will make it easier for tourists and businesspeople visiting the Republic of Ireland who are travelling only on an Irish visa to include Northern Ireland in their trip. It is hoped that that measure will provide an important boost to the Executive's drive to increase tourism revenue and visitor numbers.

Mr Speaker, you will appreciate that the economic package is quite wide-ranging and contains more detail than today's business will allow, so, if I may, I will finish by itemising the measures very briefly in the time that is left.

The Government have made it clear that they are willing to designate enterprise zones here, and the Executive have the option of proposing such sites by October this year, if they so desire.

The Government have also said that they will support the Executive in undertaking a review of business red tape in Northern Ireland. Meanwhile, the package also

includes commitments to support the unlocking of key local infrastructure using UK Government guarantees. As previously highlighted, the package also supports the Executive's new process for economically significant planning applications. The Government are also to support the Executive in examining how the financial potential of Belfast port might be unlocked. Then, there are measures to unlock revenues from the Executive's asset base. The potential provision of further MoD surplus assets is detailed. The package also includes measures to build on the local economy's strong communications infrastructure.

The Executive are also exploring what can be done to improve Northern Ireland's air connectivity. Among the proposals is one to establish monitoring mechanisms at ministerial and official level to ensure that measures implemented by the UK Government are having maximum impact in the local economy. That includes exploring scope for DETI's independent economic advisory group to have a role in monitoring the effectiveness of UK-wide economic policies. We will work to examine how we can contribute to supporting the drive for economic growth here and the creation of a shared society with equality of opportunity for all.

I think that all Members should be able to recognise the progress that has been made. The world leaders came to Fermanagh several weeks ago. They admired a society that has been transformed. At the G8, Northern Ireland showed the world that it is an increasingly outward-looking society, open for business, focusing on the steps needed to succeed in a competitive global economy and ready to address its divisions.

The economic and social pact that was unveiled by the Prime Minister in recent days is a potent symbol of the Executive's vision. Under their custodianship and direction, the Northern Ireland of the future will be a genuinely shared society that is able to fulfil its real economic potential and lay permanent foundations for continued peace, stability and prosperity. The script has been written. Now, the words must be translated into action. I commend the package to the Assembly.

**Mr Speaker:** Before I call Chris Lyttle, the Deputy Chair of the Committee for the Office of the First Minister and deputy First Minister, I warn the House that quite a number of Members want to make a contribution on the statement. I understand that because of the importance of the statement, but I warn Members that they should not make a long pre-amble before they come to their question. I believe that we can allow everybody to make their contribution. Of course, the Deputy Chair of the OFMDFM Committee will have quite a bit of latitude, as will other Chairs and Deputy Chairs.

**Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I thank the First Minister for the statement and welcome what appears to be a long overdue acknowledgement that the economic well-being of people in Northern Ireland is absolutely linked to the delivery of a shared and integrated society here. I hope, therefore, that the Assembly will see a detailed action plan for the delivery of the Together: Building a United Community strategy without delay.

I ask this question as Deputy Chairperson for the OFMDFM Committee: how will the additional €50 million

committed by the UK Government to Peace programmes in Northern Ireland be used by the United Youth programme and over what period does the First Minister envisage the 10,000 placements being created? I ask this question as a Member of the Assembly: to what extent will the use of the economic package to deliver 10 shared education campuses over the next five years without reference to integrated education improve a system that the First Minister believes is fundamentally wrong and does it adequately reflect the hopes of our community to see our children educated together?

**Mr P Robinson:** Mr Speaker, we were not quite clear on this side, when you referred to "preamble", whether it was a "preamble" or a "pre-amble" that we were talking about.

I will deal with some of the issues that were raised by the Member for East Belfast. First, it is not long overdue. The deputy First Minister and I have consistently seen having a stable and shared society as a fundamental part of bringing prosperity to Northern Ireland. As far as the action plan that arises out of the strategic document is concerned, each of the Departments, having now agreed to the delivery of the plan — I am pleased to say that it was agreed unanimously at the Executive that we would deliver on the plan — will, obviously, look at their own responsibilities in it and bring forward action plans. I hope that each of the Committees will question their Minister and ensure that the Department makes the necessary progress. Following the particular proposals that the deputy First Minister and I announced on 9 May, Departments are already working on detailed proposals. As each comes forward, we will announce it, and we will be happy to answer questions on those issues in the House or in Committees.

On the €50 million designated by the UK Government as additional to the Peace IV funding and specifically linked to the United Youth project, when detailed proposals come from officials on how that proposal is to be taken forward, I imagine that they will likely seek the engagement of community, charitable and business organisations. No doubt, as part of that, proposals will go before the SEUPB for Peace funding specifically to take forward projects for the United Youth project.

As far as the campuses are concerned, the document that we produced makes it very clear that our ultimate goal is one educational system in Northern Ireland. We recognise that that cannot be done overnight, in one step or in one visit to the table. It must be an ongoing, gradual, step-by-step process, however tiring and hard on the patience it may be for the Member to see progress being made more slowly than he and, indeed, I would like. Nonetheless, it is a significant step forward. It is important that actual proposals start to be constructed on the ground. As the Executive recognised, it is the starting point. It is not the Executive's full ambition for shared or integrated education. The Member will know, from the visit that the deputy First Minister and I made to the Committee, that we identified other areas relating to integrated education where, we believed, further work was necessary. That conversation will continue, and consideration will be given to what further steps can be taken to encourage the sector.

**Mr Moutray:** I welcome the positive and timely statement by the First Minister this morning. How does he believe the economic pact and Together: Building a United Community sit together as we move forward?

**Mr P Robinson:** We have consistently identified that the one critical element to having a stable and prosperous future for the people of Northern Ireland is that the peace is embedded, there is cohesion in our community and we seek to reconcile different traditions so that they can live together, side by side. Unless we have political and community stability, we will not be an attractive place for people to invest or visit. It has consistently been our policy that there are two key priorities for the Executive: the economy and building a shared society. The fact that the programme has been endorsed by the United Kingdom Government, the Irish Government, the US Government and the European Governments indicates that this is the right way to travel. I think that any sensible person looking at where Northern Ireland is and at its potential will recognise that it is the right way forward.

**Ms Fearon:** Go raibh maith agat, a Cheann Comhairle. I thank the First Minister for his statement this morning. What is his assessment of the benefits of the North continuing to have assisted area status?

**Mr P Robinson:** When it was first mooted that there was the potential for it to be removed, there was considerable concern from every party in the Executive. The deputy First Minister and I went to Brussels and spoke to a wide range of commissioners, parliamentarians and others, including the two presidents, about how important it was for Northern Ireland to continue to have that status. Without that status and without having the power to set our own level of corporation tax, Northern Ireland would be very vulnerable, and it would have been difficult for us to attract the same level of investment as we have been successful in bringing to Northern Ireland over the past number of years. So, from our point of view, it was a vital issue and one that we are delighted has been satisfactorily resolved, albeit for the short and medium term. I suspect that that is at least to take account of what the outcome in 2014 might be of the United Kingdom Government's decision on corporation tax. If we have those tax-setting powers, obviously, other criteria will have to be considered in terms of assisted area status.

11.00 am

**Mr Eastwood:** I welcome the potential for further military sites to be transferred. However, given some of the experiences that we have had, will the potentially significant cost of decontaminating such sites be left to the Executive's resources, or will it be covered by the additional borrowing powers?

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

**Mr P Robinson:** I suppose that depends largely on which military sites we are talking about or, indeed, which parts of military sites. If, for instance, as, I think, was indicated in the document — it certainly was in our discussions with the Prime Minister — we were talking about sites that included existing housing, clearly, there are not decontamination issues where there is such housing. On some of the sites that we have taken over, the decontamination relates to only a small part of the overall site. Cleverer planning use of the site's overall footprint might avoid the necessity to spend significant amounts of money on decontamination. Ultimately, however, where decontamination is required, it will be a matter of negotiation at the time on a particular site between the Executive and the UK Government.

**Mr Cree:** I welcome the statement this morning. The First Minister referred to the UK-wide schemes to improve the flow of finance, with which there certainly have been problems. What new tools that have not existed before are envisaged for that? I welcome the assisted area status extension and the selective financial assistance going beyond 2014. Can the First Minister give us some indication about how far ahead they may go?

**Mr P Robinson:** I think that every one of us will have had conversations with people in our constituency about the difficulty getting access to finance, in particular for small businesses. The banks have been a significant problem. Of course, every time you meet the banks, they throw figures at you about how excellent their lending has been and how it has increased. What they do not tell you is what they have reined in at the other end. They do not tell you about the increases that there have been in the terms and conditions of loans. So, there have been difficulties, and it is more difficult in Northern Ireland than elsewhere in the United Kingdom, because none of the four main banks is indigenous to Northern Ireland. That has given us considerable problems.

Many of the significant schemes that the UK Government have brought forward on the flow of finance are of such a scale that they do not have the same impact in Northern Ireland. I remember that, several years ago, the deputy First Minister and I wrote to the Chancellor drawing attention to the fact that the Northern Ireland banking scene was entirely different and could not be treated in the same way as that elsewhere in the UK. We asked them to look specifically at that. It has taken them some time to come around to that position. I am delighted that they now have and that they are going to sit down with us and look at those issues. I am glad that we have a mechanism in the pact that allows us to have periodic meetings where we can raise these issues to see what progress has been made.

We have the assisted area status guarantee for the short and medium term. I suspect that that really means that, if, at a later stage, we get the power to set our own level of corporation tax, we will look again at assisted area status.

**Mr G Robinson:** I welcome the additional borrowing of £50 million a year for the next two financial years to be spent on society projects. Is the First Minister confident that the necessary processes are in place to allow that money to be spent in the available time?

**Mr P Robinson:** That touches on an issue that I mentioned during the OFMDFM Committee session. It is challenging to be told that there are two years and you will have the ability to borrow £50 million in each of those years.

The processes of government — getting through the preparation, the planning and the legal and procurement requirements — make that very challenging. That may be one of the good reasons why there should be a fast-track planning system. The borrowing ability also requires the Finance Minister to look again at how we can speed up the procurement system and make it more favourable to local companies. Those are issues that have to be looked at.

The Department of Finance and Personnel has indicated that it is confident that we can use the money within the timescale. As the Member knows, some schemes — Lisanelly, for instance — have already been identified. It is good to see that we now have six schools signed up

to the memorandum of understanding to move forward on the Lisanelly site. A lot of the preparation is already under way for that site. There are also two schools in Moy that want to come together in one building. As soon as there is willingness on the part of those who would be your partners, it becomes a lot easier to go through the processes. I am confident that we can meet the schedule.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his statement. Can he give an indication of what shared future projects could benefit from the economic package? Is there something in the document that could fast-track the Lisanelly project?

**Mr P Robinson:** There are several funding elements. First, there is the commitment by the Executive to the overall shared future projects. That means that those projects come high on the list for government expenditure when it becomes available. I will come to the pact in a moment or two, but, on our own terms, that means that we will look to the priorities that we have set ourselves in monitoring rounds and so forth.

I have already spoken about Lisanelly, and it is ahead of the pack in terms of shared education campuses because a lot of work has been done and there seems to be an agreement to go on to the site. All the projects that we have outlined in the proposals of 9 May are capable of receiving funding through the pact because the reinvestment and reform initiative (RRI) borrowing increase can be used for any of them. The increase in Peace IV funding through the top-up allows the United Youth programme in particular to be advantaged.

The Executive have made it clear to the Treasury and others that we have the programmes that can move us forward to build a united community in Northern Ireland. Those programmes will run at a pace consistent with the available finance, so, if there is enthusiasm on the part of the Government to help us with them, they know how they can help us. The more money and the more available borrowing we have, the more we can do to advance the projects. I am encouraged that there is a lot that can be done. My only concern is as it has always been: with capital funding, there is a long lead-in time for procurement, legal and planning purposes.

**Mrs Hale:** I thank the First Minister for his statement and answers and welcome the positive news in the statement. The economic pact indicates that consideration will be given to additional fiscal powers for the Assembly. What powers are likely to be considered, and how likely is it that there will be further devolution?

**Mr P Robinson:** I tense up when people talk about additional fiscal powers, simply because I think that, very often, people have a different view of the outcome from what is envisaged in the pact. The pact talks about the additional powers as a consequence of wanting to increase our borrowing capacity. It states that we can increase our borrowing as long as we increase our revenues, and, if the revenue stream is increased, that can pay off whatever additional borrowing we do. However, when most people talk to me about taking additional fiscal powers, they talk about things such as stamp duty, landfill tax and the aggregates level, and I know full well that they are talking about reducing the tax paid on all of those, which would do nothing to pay for additional borrowing. Whether we pay for additional borrowing through increasing the regional

rate or through some other mechanism is something that we will consider in the days ahead. I am concerned that the only ideas that I have been hearing from people are, I suspect, ones that, just like air passenger duty (APD), involve bringing the tax to zero.

**Mr Byrne:** I generally welcome the thrust of the statement. It is positive in its concentration on developing a more balanced regional economy. Given that we have secured better structural funds, that selective financial assistance is retained and that, hopefully, we will benefit from the regional guidelines, will the First Minister and the Executive consider seeking from the Treasury corporate tax credits that will allow greater allowances on capital investment? That was announced in 1998 by the then Chancellor Gordon Brown for two years, and we benefited from it. Given that the whole argument about corporation tax is still in the melting pot, that may be a way of reducing net tax on our —

**Mr Deputy Speaker:** I think that the Member has asked his question.

**Mr Byrne:** — corporate businesses.

**Mr P Robinson:** I agree entirely. I assure you that we have already been attempting to entice the Government to assist us in that regard. We will continue to do so. It is fair to say that, to date, the Treasury is not biting.

**Mr Weir:** I thank the First Minister for his detailed and very positive statement. Is he confident that the necessary work to allow a decision on the devolution of corporation tax to be taken in the autumn of 2014 will be done? What significance is there to the decision to legislate by way of a stand-alone Bill?

**Mr P Robinson:** The Government have committed themselves to doing that work and completing it so that they can take a decision. We keep talking about the autumn of 2014; more accurately, we are talking about after the Scottish referendum. We have done a considerable amount of the preparatory work jointly with the Treasury, the Northern Ireland Office and the Prime Minister. However, the report submitted to the Prime Minister left him with options in at least three areas. Therefore, he will have to decide which of those options to take forward. Needless to say, the options favoured by the Executive and not by the Treasury are those that are best for Northern Ireland and the Executive financially. When we get close to the decision-taking stage, we will attempt to convince the Prime Minister that that is the right way to go.

The second part of the Member's question —

**Mr Weir:** It was about the stand-alone Bill.

**Mr P Robinson:** I think that it is reasonably well known that the initial proposal was to make a decision in the autumn of 2014 and use the Finance Bill of 2015, which would be the normal way of dealing with these matters, as the means of taking forward the proposal if it were approved by the Government. Of course, those of us who have some knowledge of how the last Finance Bill of a Parliament operates will know that, because nobody is absolutely certain which party will be in government after the election, it has to be an agreed Finance Bill. I think that we all know that the Labour Party has not been positive about having a devolved corporation tax-setting power for Northern Ireland. That being the case, leaving it to the Finance Bill of 2015 would have meant that there would be

a veto. The Conservative Party and Liberal Democrats in coalition could have brought forward a proposal to provide Northern Ireland with tax-setting powers that would have been vetoed in the Finance Bill by the Labour Opposition. That would not have been satisfactory from our point of view. The pact, as finally published, commits the Government, if they take a decision in favour of allowing Northern Ireland to have tax-setting powers in 2014, to introducing a stand-alone Bill that they will seek to take through Parliament before the elections in 2015.

#### 11.15 am

**Mr Anderson:** I also welcome the First Minister's statement. Undoubtedly, the G8 was a massive success for Northern Ireland. Does the First Minister believe that there will be a long-term legacy from the G8 and the G8 investment conference?

**Mr P Robinson:** I think that everyone, even our pessimists in the press, recognised that the G8 was successful in Northern Ireland terms. Although we will attempt to indicate the extent of the advantage to Northern Ireland in the longer term in the report that will be carried out by the Executive, it is difficult to know that. At the moment and from our angle of vision, we see it being beneficial not just in reputational enhancement for Northern Ireland. People around the world will have seen that Northern Ireland is a bright, sunny and peaceful place and the kind of destination that one might want to go to on holiday or to invest in. That is good for Northern Ireland, but I am not sure what figure anybody could put on that.

It is also important that the Prime Minister committed to supporting our economic conference in October and encouraged his G8 colleagues to do likewise. That could realise considerable benefits as previous events of that type have done. In the long term, the G8 will be a tool for Invest Northern Ireland, Tourism Ireland and the Northern Ireland Tourist Board to use to show that Northern Ireland is a welcoming and inviting place. All of that has to be to our advantage, and only time will tell the extent to which we take advantage of it.

**Lord Morrow:** I, too, thank the First Minister for his comprehensive statement to the House. I want to bring him back to an issue that he dealt with to some degree when Mr Robinson asked his question. It relates to the creation of 10 shared educational campuses in five years' time. How many of those campuses have been identified? Is he confident that 10 campuses will be identified within the five-year period?

**Mr P Robinson:** I hope that they will be more than identified within that five-year period; I hope that we will see work commence on 10 of them within that period. Of course, there are those that are publicly known, and Lisanelly has been referred to. The Moy project is also known, and I welcomed the opportunity to go along with the Member to speak to the two schools in Moy. It is always so much easier when you have willing partners and people who want to make a project work. That will help Lisanelly and Moy. I understand that proposals are also being put forward in Armagh. I think that a trend is being set and you will see others following.

It will be the responsibility of the Education Minister to bring the proposals to his Executive colleagues. I hope that we end up having to choose 10 campuses, rather

than having to go out and twist arms to get 10. I honestly believe that there is a real opportunity for groups of schools to look at this proposal as a way of getting greater integration in their community and improving educational prospects.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chéad-Aire as ucht a ráitis, agus, go deimhin, cuirim fáilte roimhe. Tá suim ar leith agam sa £18 billiún d'airgead caipitil atá luaite ann.

I thank the First Minister for his statement and welcome it. I am particularly interested in the £18 billion of capital funding mentioned in the statement. How much of that has been delivered to date? How much remains to be delivered?

**Mr P Robinson:** The Member will know that, right across the House, there was considerable concern about the gap between the commitment that had been made by the outgoing Labour Administration and the plans that were produced by the coalition Government. The coalition Government had indicated that they believed that the £18 billion could be met within the time frame entered into by the previous Administration.

Over the past year in particular there have been step changes in the Government's commitment to capital funding for Northern Ireland, and literally hundreds of millions of pounds have been added to the capital budget. The cynics might well say that there have been reductions or freezes on the revenue side to allow for increases on the capital side, but if we are to stick to the letter of the agreement, there have been increases. I think that the last paper I saw from the Department of Finance indicated that the present projections — this was before the statement from the Treasury in the past few days — were that we would have received something in the region of £17.56 billion. The additional figures that have been added to the capital budget by the Chancellor's statement more recently must take it very close to the £18 billion, if not exceeding the £18 billion mark.

**Mr Newton:** Like others, I welcome the Minister's very positive statement. It is good to end the term on such a positive and high note. Reference has already been made to the assisted area status. Like others, I welcome the retention of that. Perhaps the First Minister will comment on the importance of that status to long-term investment and securing foreign investment in the Province.

**Mr P Robinson:** In my statement I pointed out just how helpful that had been over the past year, when 7,500 jobs were brought in directly as a result of our ability to give assisted area status. Moreover, in the past three months in particular, around 3,000 jobs have come into Northern Ireland, so it is a fantastic lever to be able to go to a company and say, "If you come to Northern Ireland, we can give you assistance". What assistance you give and in what areas you give it depends largely on what type of businesses we are trying to attract. Assisted area status allows us to lever in jobs in a way that would make us very uncompetitive if we did not have it because it allows us to give funding, which can offset the advantage that companies might receive if they were to put themselves in a region that had a lower level of corporation tax, for instance. So it is massively important that we continue to have that status. It is a tool that the Department of Enterprise, Trade and Investment and Invest Northern

Ireland have used very successfully. There were considerable concerns, and, indeed, some calculations being carried out, as to what the consequences would be if that status had been taken away from us or it had been to a reduced part of Northern Ireland.

**Mr I McCrea:** I thank the First Minister for his statement and welcome the nature of its content. I also welcome the early progress in relation to the planning system. Does the First Minister believe that the amended Planning Bill will offer a real opportunity to speed up the planning system and help attract inward investment?

**Mr P Robinson:** I know that, with any proposal that is brought before the House, there are always some people who want to try to get some political advantage for their political party out of it, but, quite frankly, anybody who has travelled around the world trying to bring business to Northern Ireland, and has spoken to those who want to invest, but who find our planning delays so frustrating, will know that anything that can be done to fast-track those and improve Northern Ireland's reputation abroad is helpful. If we are able to speak to investors and indicate that there are issues that we can help to resolve, and we can do it within a time frame, it makes it much easier for DETI and Invest Northern Ireland to attract people. So, yes, obviously, being able to take decisions faster helps our economy, helps get people into jobs and helps get people out of poverty. That is the real issue, and I would have thought that that would be vastly welcomed in a community that requires growth in the economy in order to trigger people getting off the dole and into work, out of poverty and into prosperity.

**Mr Douglas:** I welcome the First Minister's very positive statement, which is good news for Northern Ireland. The economic package refers to the Port of Belfast, and recent reports show that the port has had another very successful and profitable year. What do the Executive have in mind to ensure that Northern Ireland benefits from the work of the port?

**Mr P Robinson:** Northern Ireland already benefits from the work of the port. It is the gateway for business into Northern Ireland, and it does a tremendous job in encouraging investment in its area. The DONG proposal is a perfect example of that. Anyone who looks at the skyline around the port and at the work that DONG has undertaken can see just how valuable that is economically and for jobs. However, we have to recognise that it is more than a port. The core port land is one issue, but there is massive development potential, with some thousands of acres available. I do not know what the current Minister's position is, or what guidance he is getting, but when I was in the Department for Regional Development and was being asked to appoint people to the board of the port, the criteria that I was given were all marine-related. The fact is that the job that the port is doing is not just marine-related any longer; it is a massive development organisation.

Therefore, from a Northern Ireland plc point of view — I do not really like that term — the benefits should be not just to the port users and the port itself but to the wider community in Northern Ireland. As things stand, the fiduciary responsibility of the commissioners would not allow them to throw money away to the Executive. However, the Executive would have the ability to change the criteria, and although the port "lawyered up" when mention was first made of it, the pact makes very clear

that the United Kingdom Government will give us whatever additional support we might need if legislation was required in the UK so that the wider community could get some benefit from the port assets.

This all started, as the Member will remember, when the Minister of Finance and Personnel, in his Budget statement, sought to get additional funds from various sources outside the normal revenue streams. He had looked at getting £20 million from the port, which the port resisted, and, therefore, we are looking at other mechanisms that will allow us to do that.

I am convinced that that revenue is there to be had, but I am insistent that in bringing that additional revenue to Northern Ireland, looking at how the port operates, I do not want us to take any step that makes it less favourable for the port to do the job that it has successfully been doing. The Member referred to the significant profits that it has raised, the side effects of which include the recent proposal to spend £7 million on a docking facility for four boats.

All of that is beneficial, and the Executive will look at that on the basis of a proposal that, I suspect, will come forward from the Minister for Regional Development.

**Mr Allister:** In his statement, the First Minister refers to the Executive's vision of:

*"A community strengthened by its diversity, in which cultural expression is celebrated and embraced ... free from prejudice, hate and intolerance."*

He also told us:

*"every Minister has committed to the delivery of the strategy."*

How can that be squared with the performance of the Culture Minister, who, in recent weeks, led protests against expressions of unionist culture? Has the First Minister any comment to make about her behaviour?

**Mr P Robinson:** The Member wants to stretch me beyond the scope of the statement. Every Minister must answer for their behaviour and how consistent it is with the agreements of the Executive. The Executive have very clearly recognised that the way forward for Northern Ireland is one where we each show respect for the other's traditions, where we have an understanding of the difficulties and the angle of vision that people may have from their community, and where there is a wider level of tolerance. That has to be the way forward. I encourage the Member in the same way that I encourage every other Member: if we all are in tune with those criteria, we will have a very peaceful parading season and a very peaceful Northern Ireland. That will allow us to be able to meet one of the two criteria that we want to achieve, namely the establishment of a shared community, the other one being economy prosperity for our people.

**11.30 am**

**Mr Agnew:** The First Minister's opening sentence was telling when he referred to the economic package, 'Building a Prosperous and United Community, because that is what this is. It is an economic programme rebranded and repackaged as a shared future document. Although there have been some welcome headline targets



on delivering a shared future, there has been no strategy on how we get there.

**Mr Deputy Speaker:** Can we have a question, please?

**Mr Agnew:** Indeed, the content of the statement is almost exclusively about the economy. Is the statement an admission from the Executive that they have given up on delivering a shared future strategy?

**Mr P Robinson:** Has the Member been on holiday? Where was he on 23 May? Is he not aware that we have produced the strategy on building a united community? Did he not listen to my statement, in which I indicated that the Executive have unanimously supported this being the starting point and that they will seek to deliver it? The strategy is there for building a united community. Perhaps, the Member will go to the Library and get a copy of it.

**Mrs Overend:** I want to ask the First Minister about the fiscal powers. Will he outline what powers are being considered for devolution to Northern Ireland? Who will be driving forward the examination?

**Mr P Robinson:** I have already touched on the powers. People have talked to us about the aggregates levy, the landfill tax and stamp duty. The proposal is obviously one that would have to come forward from the Department of Finance and Personnel to the Executive. The Executive will want to consult widely with the Committees and the Assembly on moving forward on any proposal.

We have considerable powers through our regional rate, which is, in effect, a local tax. If we want to increase the local tax to pay for an addition to the RRI borrowing, we can simply do that by increasing our regional rate. It is up to anybody who has a suggestion to make about additional areas of tax to make, but my fear is that when people talk about taxes, they talk about reducing them rather than putting up tax and indicating what they will be charging that additional tax for.

## Planning Policy Statement 2: Natural Heritage

**Mr Attwood (The Minister of the Environment):**

Following Executive agreement, I am issuing Planning Policy Statement 2 (PPS 2) on natural heritage. So that people are aware, natural heritage refers to the diversity of our habitats, species, landscape and earth-science features.

In the past few weeks, as Members know, I have brought to the Assembly PPS 16 on tourism, which is aimed at supporting high-quality and sustainable tourist development to maximise the economic opportunities that tourism offers. For Members' information, yesterday, I circulated a PPS on flood areas to the Executive. That is all evidence of the reform of planning.

Work has commenced on developing a single, strategic planning policy statement to be in place in the early months of 2015 to gather in one place the planning policy ambitions and statements of this part of the world. Members will recall — how could you forget? — that, last week, there was a debate on the Planning Bill, which focused on streamlining and reforming the planning system and ensuring that economic considerations are embedded in the system in the proper way. I have always maintained that the planning system is about striking the appropriate balance between facilitating development in support of the economy and protecting and enhancing our natural and built heritage. The reason is clear-cut: as I keep saying, the scale, wonder and beauty of our built, natural, archaeological and Christian heritage is unsurpassed on these islands. This statement today and the adoption of PPS 2 by the Executive, unanimously and without dispute — to borrow the phrase used by the First Minister in his previous comments — is a useful rebuttal to the bad politics and bad law of last Monday and Tuesday.

Today, I am launching PPS 2 on natural heritage, which is a policy aimed specifically at preserving and enhancing all that we cherish about our unique natural heritage in the North. It extends beyond and enhances the old PPS 2, which dates back to June 1997 and dealt only with natural conservations. It is interesting that, in a statement issued today, the chair of the Council for Nature Conservation and the Countryside (CNCC), Patrick Casement, acknowledges that this PPS moves us beyond conservation and deals more comprehensively with heritage.

The policy seeks to conserve, enhance and restore the abundance, quality, diversity and distinctiveness of our natural heritage. It protects designated sites at international, national and local level; statutorily protected species; other species; habitats or features of natural heritage importance; and areas of outstanding natural beauty (AONBs). The PPS better informs applicants of the types of surveys and assessments that may be requested as part of the development management process. All of that is timely, given how, even in recent legal challenges, issues around compliance with European standards have been questioned by the courts.

PPS 2 will help us to meet international, national and local responsibilities and obligations. It will help us to achieve important obligations under the biodiversity convention, the European Landscape Convention and commitments made through the Northern Ireland biodiversity strategy, as well as to further sustainable development. It provides flexibility to accommodate development for economic

growth without compromising the need to protect the valuable natural heritage. Underlying PPS 2 is the principle that conservation and development can be compatible and that, with careful planning, the potential for conflict can be minimised. I have just come from a meeting with the Minister of Agriculture at which the first item on the agenda was the work that we have taken forward together to try to protect Strangford lough, in particular how we have been able to reconcile the economic, energy and environmental needs, given the tidal turbine that exists in the middle of the narrows.

The policy encourages development plans to take account of natural heritage issues during their preparation by identifying and protecting local sites of importance and biodiversity. Plans are an important tool now — as they are for councils in the future, given their planning and developing planning functions — in evaluating and reconciling any potential conflict between the need for development and the need to protect the environment.

PPS 2 also provides a set of six operational planning policies to be taken into account when determining planning applications. In the document, NH 1 to NH 6, respectively and inclusively, are the pathway for dealing with all the relevant designations and how the planning system needs to acknowledge and respect those in any development plan or planning application. The first of the operational policies focuses on the protection of European sites and listed or proposed Ramsar sites. Those are given the highest level of protection, in line with the EC birds and habitats directives and the Ramsar convention. The process for considering development proposals affecting European sites is set out in law. Nobody can vary from what is set out in law, even though some seem to think that they can. Particular species of flora and fauna are subject to special protection and are protected from harm as required by legislation at European and domestic level.

PPS 2 also contains policy provisions aimed at providing the necessary protection for statutory protected species. The policy indicates different tests for those species depending on whether they are protected through the Wildlife Order, the 2011 Wildlife and Natural Environment Act or European legislation.

The policy also provides protection against the adverse effects of development proposals in nationally important sites such as areas of special scientific interest and national nature reserves. Similarly, it contains policy provisions that protect local nature reserves against the potentially adverse effects of development. It makes good sense to retain the hierarchy of protection for our nature conservation sites by providing the right level of protection for the appropriate designation.

Flexibility has been built into the policy to allow for development, provided the benefits of the proposed development outweigh the value of the designated site at national and local level. Benefits should be of a long-term interest and sufficient to override the value of the site or harm to the natural heritage interest.

However, many of our wildlife, habitats and features of natural heritage importance are not confined to designated sites, and PPS 2 recognises that by also protecting non-designated landscape features, wetlands and long-established woodlands. This shows the inclusive nature of the PPS. It goes across the hierarchy of designation from

that required under European requirements through to non-designated landscapes such as wetlands, woodlands and trees.

PPS 2 also contains policy provisions for development in areas of outstanding natural beauty. All development proposals in those designated areas will have to meet special design criteria. That will minimise the effects on the distinctive character of the protected landscapes. The policy complements that in PPS 21 on sustainable development in the countryside and the accompanying supplementary planning guidance 'Building on Tradition: A Sustainable Design Guide for the Northern Ireland Countryside.'

I believe that the policy provides the necessary protection for natural heritage areas that are designated by environmental legislation and those deemed to be of particular importance to Northern Ireland. It does so in a way that allows appropriate development to take place subject to necessary mitigation. It is further evidence of my desire to use planning to facilitate growth and to protect and enhance our valuable natural heritage. Although I use those words cautiously, and nothing too much should be read into them, this planning policy statement captures the three pillars — avoid, mitigate and compensate — when it comes to areas of heritage value that have designations. That is what the PPS does. I hope that, in going forward, other parties, other Ministers and all of government recognise that that is the way to have a proper planning system.

**Ms Lo (The Chairperson of the Committee for the Environment):** I very much welcome the Minister's announcement of enhanced protection for our natural heritage. We are so blessed in Northern Ireland with such a rich natural and built heritage. As the Minister is aware, UNESCO has recommended that we need legal protection for our world heritage site. I put in an amendment as an Alliance member, but it was not supported. Will the Minister consider legislating to support our only world heritage site in Northern Ireland?

**Mr Attwood:** I thank the Chair for her comments and for all the work of the Environment Committee through the past term. She was right to use the word "blessed". Whether what we enjoy is God-given or a consequence of other reasons, we are blessed, and that word rightly acknowledges the scale, wonder and beauty of the heritage all around us.

In the debate last week, I read into the record — I did not even read all of what I wanted to into the record — how we already protect heritage sites and, in particular, how we have a suite of measures, policy and practice that protects the world heritage site. Nobody said that that was inadequate, save what the Member said about her proposal and the law on the world heritage site.

**11.45 am**

There is a scale of measures that already protect. That is why development in the world heritage site and in the area of outstanding value is only allowed in exceptional circumstances. The proof of that has been what has happened with the planning history of that part of Northern Ireland. At a meeting last Thursday, I put my issues around the world heritage site and the conduct of UNESCO and its advisers the International Union for Conservation

of Nature (IUCN) to Mr Simon Jenkins, the chair of the National Trust. Although he made the point that his view is that there is a requirement for further law, that point has not yet prevailed with the Governments of Northern Ireland, Scotland or Wales or the London Government. That argument has not prevailed to date, but, in a long and probing meeting in which I asked all the hard questions of the National Trust, Mr Jenkins indicated to me very clearly that, whatever about the legal issue, in his view, the planning application on lands adjacent to the world heritage site is now settled.

**Mr Hamilton:** I welcome the Minister's statement, at least the bits that were in the printed version. I am disappointed that the Minister is not making his statement on PPS 21 today. He has been working on that for two years, and many of us had hoped that it would be here before now. If the rumour mill around this place is right, I hope that the Minister has the time to get it printed as a written statement and into Members' pigeon holes before the end of this week.

In the Minister's statement, he made reference to flexibility being built into the policy to allow for development where that proposed development outweighs the value of the designated site at national and local level. Following on from what the Chair asked, what criteria does the Minister see being applied to such circumstances that would determine whether it would outweigh the national or the local designation?

**Mr Attwood:** I thank the Member for his question. As I have tried to demonstrate even in the past 20 minutes, I have always thought that you should try to add a bit of colour to what otherwise might be seen as somewhat dry statements to the House and even add some political comment that might be timely and cutting, or not, depending on how you might view it. The measure of the best politicians is to not rely upon the rumour mill for anything but to rely upon the evidence and the facts. We will see what the evidence and the facts are whenever evidence and facts begin to emerge.

The answer to his question is that, as Patrick Casement said in the CNCC statement this morning, there are now policy tests on each and every designation from the range that we have in the North. Whether that is the highest designation of European and Ramsar sites, sites of species or nature conservation importance, national or local, habitat species or areas of outstanding natural beauty, the tests are all outlined in pages 11 to 17 of the PPS. I do not intend to go through all of those, but those are the tests, and any application of a development plan must be judged against each and all of those tests. So, to answer the Member's question, when it comes to any one or other application, that application will have to be judged against the test that is outlined in respect of the area of designation in which that application is located. Therefore, there will be various tests at various times on various locations against the various standards in NH 1 to NH 6 respectively. In respect of the highest designation, as the decisions that were made on the Giant's Causeway or the Runkerry proposal indicate, those tests are exhaustive and extensive. Only on the far side of all the tests, was, in exceptional circumstances, a decision to approve given.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement. What European regulations

or measures have influenced this PPS, and what extra protection will it mean for our natural heritage?

**Mr Attwood:** As I indicated, the previous approach of the 1997 PPS 2 was to focus on nature conservation. By definition, nature conservation is a limited term. The purpose of this PPS is to broaden policy from conservation to heritage generally. It looks at six different streams of heritage when it comes to designations in the North and what planning policy should or should not apply to each.

To answer the Member's point about EU law, when it comes to issues of heritage, there are four directives, two of which are particularly relevant and two of which are relevant in the round. The first two directives are in respect of birds, which deal with designations known as special protection areas (SPAs), and habitats, where designations are known as special areas of conservation (SACs). Together those are known as Natura 2000 sites. They are the highest designation. However, in informing planning decisions, two other directives are relevant, namely the marine strategy framework directive and — the fourth has gone out of my head. There is also the Ramsar wetlands convention. Those are the highest designations. Those are the streams of European law that inform the thinking behind this PPS. In addition, there is national law: the Wildlife Order, and the Wildlife and Natural Environment Act. There is also local legislation that informs some other planning policy guidance. When you take all that together — the European, domestic and national legislation — you come up with all the law that is at the heart of this planning policy statement.

**Mrs D Kelly:** I thank the Minister for his statement. Minister, I wonder whether you could give us some indication of your assessment of the scope to further develop and take advantage of the tourist potential of our natural and built heritage.

**Mr Attwood:** I was slightly worried there because, normally, Dolores is to my left, and now she is behind me. The truth of the matter is that Dolores is normally in front of me, because I am following her.

In answer to her question, I refer to this policy statement and the previous policy statement that came before the House in respect of tourism. If you take both of those, they assert very strongly that there is a wonder of heritage here that, in law, policy and practice, we have to protect when it comes to planning decisions and development plans. On the other hand, the tourism statement says that there are opportunities for sustainable and high-quality development in settlements and rural areas. PPS 16 outlines and scopes what that might look at. Ultimately, however, whatever the policy and the law might be, people have to break through and recognise that you can protect our heritage — we must, because it is a big part of the character of our lives — and, at the same time, positively develop that heritage. That argument is beginning to be more fully understood. I think that it is an argument that was understood by the Tourist Board and the councils that manage heritage assets such as beaches.

More people are beginning to realise that, more than ever, we have a great opportunity to grow our tourism to a £1 billion a year industry. At the heart of that is the economic driver of our historic environment. The Department produced a report about 12 months ago, which was adequate but not spectacular in content. If you want to

see a spectacular report, look at the sister report that was produced at around the same time by the Office of Public Works in the South on the economic benefit of our historic environment. I think that that narrative is growing. The consequence of that is that the Executive now have to direct resources. We had a report yesterday from the Finance Minister on June monitoring. Useful money was given to DOE to deal with waste crime, environmental crime, dereliction and council funding. That is very welcome, and I want to put that on the record. It was a more generous outcome from monitoring rounds than I have seen in my time at the Executive table. However, the strategic shift has to be made in the September/October monitoring. Will a heritage-led development fund be created that will do a number of heritage-led development projects this year and next? That will be proof positive, and a good answer to the Member's question.

**Mr Deputy Speaker:** I encourage Members and Ministers to address their remarks through the Chair. Microphones are positioned to ensure that what is said to the Chair is picked up by Hansard and by other Members.

**Mr Elliott:** I will certainly try to do that. The Minister's statement indicates that flexibility has been built into the policy to allow for development. Will that flexibility extend to those economic or enterprise zones that were proposed in the Planning Bill last week, power over which goes to the Office of the First Minister and deputy First Minister? Could that be in conflict with the planning policy statement outlined by the Minister today?

**Mr Attwood:** I thank the Member for his question. I indicated in the debate on Monday of last week that there was a model completely like what has been proposed in the amendments from the DUP and Sinn Féin in the economic zone. It is known as a "simplified planning zone". It is built into the body of the Planning Act (Northern Ireland) 2011. Article 38 of that Act provides that, when it comes to simplified planning zones, respect must be shown for the various designations, some of which I have referred to today. I put that on the record. It is unusual for a Minister to read into the record the legal advice that he has received, because that is privileged information and, if you like, I have waived my privilege to that advice, which is addressed to me. However, I put that on the record. At no time in the debates of Monday or Tuesday last week did anyone in the House contradict that advice. Certainly, no one from the ranks of the DUP or Sinn Féin contradicted it. Since last Monday or Tuesday, now that a week has passed, despite the comments that have been made on those amendments, I have not heard a word from other parties contradicting the advice that I gave last week. No one said that you could propose or pass law in this Chamber in respect of economic zones that deleted or redacted out of the law the obligations that we have under European law and its designations. I have not heard anyone, at any time — in this Chamber or outside it — from a political, legal or any other background, rebut what I said last week.

I listened closely to what the First Minister said in reply to a question on economic zones. I find it curious that the First Minister somehow wants to portray those who want to do right by law, politics and Europe as somehow doing wrong by those who are out of work. I rebut that. I resent that remark because I would not say to the First Minister, at any time, that he is hostile to the interests of those who are out

of work, and he should not visit those sorts of comments on anyone else in any other party. Equally curious is the fact that the First Minister, when he was given an opportunity to say that my legal advice, my opinion and the opinions of all those who disagree with the First Minister and deputy First Minister about the law on this matter are wrong, did not take it. I think the case is closed.

**Mr Weir:** Returning to the statement itself —

**Mr Allister:** That was a year ago.

**Mr Weir:** I hear some heckling from a sedentary position. However, I return to the statement. I am disappointed, as my colleague is, that we will hear from the Minister only once today, rather than twice. The Minister makes specific reference in the third-last paragraph to protection made available to non-designated landscape features. In particular, he mentions wetlands and established woodlands. Will he expand on the protection that will be made available to them?

**Mr Attwood:** I thank the Member. I am disappointed that I was unable to have the First Stage of the Local Government Bill yesterday. I have disappointments as well about what is not before us.

**Mr Weir:** It is a house of sorrows.

#### 12.00 noon

**Mr Attwood:** It could well be. I am disappointed that we did not have the First Stage and the Second Stage of two pieces of legislation, on local government and road traffic, before the end of the session. That was despite good efforts. There seems to have been some blockage somewhere: even a blockage, it seems to me, in respect of local government around flags, of all things. I will not go back into that, because I commented on that yesterday. So if there is disappointment, let us acknowledge that there is a lot of disappointment. Yes, I had to pull the PPS 21 statement, because I got it late yesterday. I do not mind rewriting questions for oral answer, statements or letters. I have made a practice of it over the past while. I had to rewrite the PPS 21 statement because, in my view, it did not address all the issues in the draft that I thought Members legitimately wanted addressed. I hope that that will be corrected shortly.

There will be protections, and not just for ancient and long-established woodland. That will be of some interest to Members from Derry in respect of Prehen Wood, where I hope to do something in the very near future. However, there are proposals for woodlands and trees. Should woodlands, which, I think, is the sixth element of the advice in the relevant section of the PPS, come under threat from development proposals, my Department can consider tree preservation orders for the protection for those woodlands. In other words, it can protect trees and woods. That may happen anyway, but this planning policy gives further cover for that outcome.

**Lord Morrow:** The Minister's statement reads very well. I wonder whether he agrees with me that protection and enforcement go hand in hand. We have had some experiences of late where the Department was alerted some five years ago about issues before it took action. What future does the Minister see for the policy that he speaks about today, if it is going to take that length of time in the future to enforce infringements of his policy?

**Mr Attwood:** I thank the Member for his question. I agree absolutely one hundred per cent with his opening remarks, which were, essentially, when it comes to planning, you need to have good planning, the right protections and robust enforcement. I agree with that; the flip side of good planning is hard enforcement in a proportionate manner going after the worst offenders. For what it is worth, I have tried to develop that narrative in this job over the past couple of years, and there is some evidence that, on the enforcement side, matters have been escalated. I would like to think that Members would accept that.

As I said before, there have been more urgent works notices served in the past two years than had been served in the previous 40 years. Why was that? The answer is that there were listed buildings at risk, and we decided to go after those in control of those buildings to get them to protect those assets for the wider public interest. We served a completion notice, something that had never been served before, on the Stand Hotel in Portstewart. Beyond that, completion notices will be served on a number of other properties that have been identified by Planning Service. At the moment, conversations are ongoing between those in control of those properties in advance of the completion notices being served in order to drive forward the issue of enforcement.

Action is being taken against illegal car park operators, around which there has been some publicity — indeed, there have been some legal proceedings in recent days in that regard. In one case, I instructed counsel to ensure that we resisted an application for interim relief in relation to a car park at the International Airport where the Planning Appeals Commission had recently found in our favour, and that demonstrates a greater profile of enforcement than there has been heretofore. That is why I made the argument, and the Finance Minister accepted the argument, that an in-year monitoring allocation of £1.5 million should be put into the environmental crime unit to deal with fuel laundering and waste crime, which the Member touched on.

The Member asked a fair question. If something was flagged up in 2009, what is the story since 2009? I think that is an entirely reasonable question. That is why I have appointed Chris Mills, the former chief executive of the Welsh Environment Agency, and I have directed him to interrogate, in a fearless and robust way, what has happened in the waste side of the Environment Agency to identify what was known, what was not known and why was it not known. We will get to the bottom of all that, and we will tell the full story of all that. I have to point out to Lord Morrow that all that happened when there were three DUP Ministers in the space of four years.

Putting that aside, I agree with the Member in respect of enforcement. Subject to further advice, it is likely that I will appoint Chris Mills, not just to do the exercise on what happened on the waste side over the last period of time, but to look at the planning side. There were issues around planning and planning enforcement in and around the relevant areas of land in the north-west, and if there is anything to be discovered in that regard, in a robust and fearless way, we will do so. Ultimately, though, actions taken against the landowners in the north-west and against the waste management facility in the north-west send out a message that organised crime needs to be on its watch for

enforcement. It is of some note that those who ran that waste management facility closed their business down.

**Mr Dallat:** I have listened very carefully to the Minister's statement and welcome it. Does the Minister agree that, in the distant past, much of our natural and built heritage was systematically destroyed under the guise of job creation and tourism? Does PPS 2 mean that we will not have any more crazy proposals, such as turning Knock Golf Club into a building site?

**Mr Attwood:** In our experience and the experience of Europe, the reason why we needed the directives, be they on habitats, birds, water or anything else, was that although these were huge natural assets that we enjoyed, we were not doing enough to protect them. That is the wider story of the growing threat of climate change and global warming. There has to be a standard. That is what PPS 16 is about: it is about sustainable, high-quality development. I think that you can have sustainable, high-quality development that is fully respectful of the heritage, and any adverse impacts can be sufficiently mitigated. Indeed, some decisions have been made, but because of the very stringent environmental conditions laid down in planning permission, you will actually have better management of land. For example, in the Runkerry decision, there were 21 robust planning conditions. One of those dealt with the management of woodland on that site. As you will know, there is a small area of woodland in part of the Runkerry site. I have walked that site and have gone through that woodland, and it is falling in on itself because of inadequate management, so we said that there has to be a proper management plan for the woodland on that site.

I could give you multiple other examples of how planning conditions can, in the context of sustainable, high-quality development, protect our heritage. I hope that that is the message that people, including friends of Ms Lo, are hearing.

**Mr Anderson:** I thank the Minister for his statement. How do you see PPS 2 sitting with PPS 16 that you referred to on tourism? Do you agree that there is a need to maximise our tourism potential at every opportunity as one way of growing our economy? I just wonder how those two policies will sit with each other.

**Mr Attwood:** PPS 2 and PPS 16 have been recently endorsed by the Executive, and I must acknowledge that Ministers have interrogated those two planning policy statements in some depth, and they have been changed because of that interrogation. The fact that Ministers, particularly the Minister of Enterprise, Trade and Investment and myself, as the Environment Minister, have signed off on them, suggests that both of us recognise that PPS 2 and PPS 16 are entirely consistent with the objective of the pathway through the planning process to have sustainable high-quality development on one hand and tourist numbers, jobs and increased spend on the other. Otherwise, we would not be signing off on those PPSs. So, the answer to your question is that if we do not have PPS 2 and PPS 16, we will put in jeopardy that which we value. By having PPS 2 and PPS 16, we can protect what we have, as we enhance what we have. That is the pathway forward in order to maximise the economic return and that is a pathway that has been endorsed by the Minister of Enterprise, Trade and Investment, as well as by all Ministers.

**Mr Allister:** In light of last week's notified power grab on the Department, would it be right to conclude that policies

3, 4 and 6 in PPS 2 could be ignored, superseded and, essentially, abrogated in any process of economic zone in which the Office of the First Minister and deputy First Minister (OFMDFM) took upon itself the powers that it intends? Is that the actual situation?

**Mr Attwood:** I have never used the words “power grab” in respect of what happened last week. I think it is more eloquent and chilling to say bad politics, bad law and bad government. That is my view, because I think that that captures not only the fact that there is bad politics about the amendments that were passed last week with regard to taking to another part of government functions that it is not fit to fulfil. Such action represents bad government, bad law and bad politics, and that is why I use that phrase.

As I indicated to Mr Elliott, as I indicated last week and as I will confirm now, in my view, and I have got legal advice to this effect, in taking forward economic planning, be it what the FM and DFM think they are going to get up to, what I have done or what the councils might do in the future, you cannot ride a coach and horses through European designations, European directives and European requirements. You may wish it otherwise; I do not, and they may. You cannot delete that requirement from our domestic law, and that is what they did. If, in making economic assessments, you delete the references and requirements under European law —

**Mr Hamilton:** *[Interruption.]*

**Mr Attwood:** Sorry?

**Mr Deputy Speaker:** Order.

**Mr Attwood:** If you make economic planning and ignore European designations, it follows that you ignore those elements — the various planning policies outlined in the planning policy statement — referred to by Mr Allister in his question.

I found it somewhat inconsistent, contradictory and mildly bizarre that, last Thursday, the Executive passed a planning policy statement that builds into our law and planning practice respect for designations, but, on Tuesday, deleted references to the same things in our primary legislation. Can Peter Robinson and Martin McGuinness explain to me why if it is good enough on a Thursday it is not good enough on a Tuesday?

**Mr Agnew:** I thank the Minister for his statement. It is timely that he brings the policy on the protection of the environment at a time when diggers at the back of the Building are ripping up trees during nesting season, right outside the Green Party office.

In the statement on the policy, the Minister referred to giving assurances on European designations. Has he been given any advice on the impact of potential economic planning zones on areas that have domestic designations?

**12.15 pm**

**Mr Attwood:** First, I note what the Member said about the trees. Yesterday, I enquired into the matter because my office also overlooks the ongoing works. There are no tree-protection orders in respect of the trees that were removed. This Building is not in a conservation zone. Consequently, there are no restrictions on the removal of trees, but I note what the Member says. If I had thought that there was some reason for me to go to the Assembly

Commission, which is why I asked those questions yesterday morning, I would have done so. Two or three semi-mature trees have been removed. Let me put it this way: they were not removed with any delicacy. They certainly were not removed to be replanted elsewhere. That is how things transpired.

The Member's question is a good one. The legal advice that I got in respect of the proposed economic zones captures both domestic law under the Northern Ireland Act 1998 and our European and international obligations. I need to double-check the answer to that particular question, and I will certainly do so.

## Committee Business

### Committee for Regional Development: Better Use of Public and Community Sector Funds for the Delivery of Transport Options

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 15 minutes to propose the motion and 15 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Lynch (The Deputy Chairperson of the Committee for Regional Development):** I beg to move

*That this Assembly approves the report of the Committee for Regional Development on its inquiry into the better use of public and community sector funds for the delivery of transport options; and calls on the Minister for Regional Development, in conjunction with his Executive colleagues and relevant bodies, to implement the recommendations.*

Go raibh maith agat, a LeasCheann Comhairle. With your permission, Mr Deputy Speaker, I would like to thank all of the witnesses who provided evidence to the Committee during its evidence sessions and those who received us and gave us so much of their time on study visits to Dublin, Glasgow, Exeter, Cardiff and Arnhem. I thank our researcher, Hansard and, of course, our Committee team. I would also like to thank the Committee bursary student, Brian Mahon, for his work and wish him well with his studies and future career.

Cuirim fáilte roimh an deis an rún a chur roimh an Tionól inniu. I welcome the opportunity to move the motion that is before the House. I welcome it as the first opportunity to present to the House the Committee's assessment of the potential for integrated transport in the North of Ireland.

We can all cite examples about the visually apparent duplication of transport services across three Departments, namely, the Department of Education; the Department of Health, Social Services and Public Safety (DHSSPS); and the Department for Regional Development (DRD), through the current public transport provider, Translink. On many occasions, we have seen buses from all three congregated on the same roads, travelling along the same routes at the same time. Colleagues from rural constituencies will, undoubtedly, tell the House about 16-seater buses with, at the most, one or two people on them, travelling behind Translink buses with a similar number of people onboard.

All of that is for the bargain price of over £200 million from the public purse each year. To put it another way, if we go to a five-year mandate, £1 billion will have been spent on providing public transport in the North of Ireland. That does not include the capital for providing each of the fleets that are maintained in the public sector. That is just the cost of moving people from one point to another. I am sure that the House will agree that, given the tight fiscal situation that we face today, including the further cuts announced last week, the use of transportation facilities that pay for themselves without additional and unnecessary funding is essential.

Transport Scotland defined integrated transport as:

*"A mechanism where departments of an organisation or various organisations jointly plan and deliver transport, sharing resources (vehicles/drivers/staff) and procurement to optimise their use to meet service demand, and enhance the delivery of transport to appropriate users."*

During the inquiry, the Committee sought evidence of co-operation between Departments but found none. Instead, it was faced with a barrage of excuses to support the case for doing nothing — regulations do not allow for it; different contracts for different drivers; and some buses need one type of door, while others need a different one. Even the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) were cited as a reason. "Barriers to integration" became the buzz words during Committee evidence sessions. The only obvious evidence presented to the Committee was that each Department, each trust and each board just wanted to revert to their own individual silos and protect what they believed to be theirs. There was no desire, no willingness and no appetite for integration.

There were some exceptions to the experience that I outlined. As is often the case, volunteers in our communities wanted to see a change. Community transport associations were very vocal in wanting to extend their services, be it through Dial-a-Lift or Door-2-Door. They wanted to link their often excluded communities into the core network and provide a real alternative that complemented the existing services. However, their frustrations were also evident, particularly with the proposed changes to the 10B operator licences, which would see many of their volunteer drivers unable to continue providing a key service in socially excluded communities.

The Committee for Regional Development is fully supportive of their calls to have that problem resolved urgently. Committee members have seen excellent examples of how similar licence arrangements operate in the Netherlands and Scotland, including the collection of fare-paying passengers along agreed routes. This is a regulatory matter that can be easily resolved. We recommend that the Department for Regional Development and the Department of the Environment liaise on the review of the 10B operating licence, with a view to expanding the potential for community transport delivery of scheduled, fare-paying routes and other public procurement exercises, such as the delivery of school meals. Efforts also need to be made to ensure that that important provision is utilised to its full effect.

Although the community transport associations stated their opposition to changes to the regulations governing their licences and offered solutions as to how it could be achieved, others put forward compliance with the legislation as an excuse to do nothing. The Committee, however, does not accept that. We are of the view that, if the legislation as it currently exists is preventing meaningful integration, it must be changed, and we have the ability to do so.

The Committee recommends, therefore, that the relevant Departments review their respective legislative and regulatory processes to ensure that vehicles and services can be used for a wider range of services than that for which they are currently deployed. That should include the

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ability to charge a fare or fee for use of the service. The Committee does not see why a school bus, for example, should drop off students and then be prohibited from collecting passengers rather than returning back to an empty depot.

In addition, the Committee believes that the Department, in conjunction with the Community Transport Association (CTA), should examine the potential for realignment of current services in preparation for the expansion of the range of services to be provided under the recommended 10B licence. The Committee is mindful that different community transport providers have different skill sets and that there is scope for integration within the sector. It is important, therefore, for the Department and the Community Transport Association to assess what capacity-building is required to operate an enhanced service. This should not be so bureaucratic as to deter volunteers from providing their services, but it should be sufficient to ensure that users of the services are protected and that all statutory obligations, such as roadworthiness, are catered for.

One major weakness identified by the Committee was how much it costs to move a person from one place to another. The level of control over transport budgets varied significantly across and within those providing the service. The Department for Regional Development (DRD) and the Department of Education are very clear on what their budgets are, but that was less evident in DHSSPS and the trusts, where provision of transport was almost seen as incidental to the operation of hospitals and other clinics. When Members spoke to transport organisations such as the National Transport Authority in Dublin and the Strathclyde Partnership for Transport, the message delivered was that transport can be truly integrated only when budgets are centralised. There was the potential to achieve that had the Department implemented the agency model identified during the transport reform process. However, that model is no longer available.

The Committee remains of the view that efforts should be made to integrate transport budgets. Accordingly, it recommends that the Minister for Regional Development commences formal negotiation with his Executive colleagues to identify the best model for the funding of transport across the entire sector. The Committee further recommends that the Budget review group and the performance and efficiency delivery unit (PEDU) undertake an urgent study on the centralisation of the transport budget to aid and inform the Minister and the Executive in their consideration of the matter.

The Committee is aware that the integration of transport provision has many complexities. That was made evident when representatives from the Committee attended a seminar on integrated transport organised by the Passenger Transport Executive Group in London. The seminar provided the Committee with a great many insights into the potential, and pitfalls, of integrated transport. Case studies of pilot projects provided many solutions to the complex problems and, in some cases, raised even more. However, it was evident that the pilot projects were a very effective vehicle for testing the concept of integration and were necessary to bring about successful change. We will hear from the Minister later, no doubt, about the two pilot projects that are at different stages of being tested and evaluated: the one in my

constituency is Easilink in Fermanagh, which provides services to Altnagelvin hospital; and the other is in Dungannon. The Committee has concerns about the latter. The pilot does not include the integration of the health fleet because, as officials from the Department indicated, it does not have a large enough presence in the area. It strikes me as strange that you would pilot an integration project in an area where the fleet cannot be integrated. Effectively, the pilot is looking at the integration of the school and core networks, which happens daily during the school year.

We hear anecdotal evidence of the refusal to look at integrating special needs customers and those with disabilities because of their particular circumstances and because of bus design. Although we fully appreciate the specific care needs that special needs children and those with a disability have, we cannot accept that those individuals can never be integrated into our transport provision.

### 12.30 pm

The Committee saw how the Strathclyde Partnership for Transport worked with local special educational needs (SEN) and health providers to ensure that children, many of whom shared the same classrooms, could travel to school with friends on specially designed buses. We heard how SEN schools asked the partnership to develop training schemes that would provide training on the use of public transport to children as preparation for when they left the school. We heard feedback from those pupils that stated that they felt they were no longer socially excluded and that the stigma of having separate buses was removed, so there were very positive personal and non-monetary benefits. It is therefore important that we do not lose this potential during the pilot project. With that in mind, the Committee recommends that the pilot project should look at the potential for full integration of those fleets in the test area, including that of the health fleets. The pilot scheme should also test whether there is a need for a redesign of specific elements of the fleet to allow for a better integration of able and less-able customers.

*(Mr Speaker in the Chair)*

I will now address the issue of the imbalance between the departmental budget allocation for roads against that of public transport. As we have reported, a number of organisations considered the budget allocation to be in contradiction of the Programme for Government objective on sustainable transport and could not see how the necessary modal shift could be made from cars to public transport, something that would also be greatly aided if an effective integrated transport system was in place. At the commencement of the inquiry, there were no professionally qualified transport planners employed in the public transport sector. The Committee notes that the Department has now seconded one on a short- to medium-term contract: indeed, the individual subsequently seconded to the Department was one of the first witnesses to give evidence to the Committee.

The Committee believes that there needs to be a collaborative approach to the planning and funding of transport. The Committee further believes that, in order to achieve a substantial degree of modal shift, the end-user needs to be consulted in order that the "when, where and



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how” of people wishing to travel can be understood. We recommend, therefore, that the Minister undertake a major travel-proofing, mapping and identification of appropriate transport options of customer transport needs in the North of Ireland as soon as is practicable. In addition, we would ask that departmental budgets are re-examined to identify coverage for the secondment of additional professionally qualified transport planners to undertake this exercise.

The Committee has made other recommendations that will no doubt be covered during the course of this debate. As Deputy Chair, I welcome and look forward to the comments that Members will make today and hope that they can support the motion. I support the report and the motion.

**Mr Easton:** DRD made a presentation to the Committee on the pilot integration scheme in Dungannon on 15 May 2013, during which departmental representatives spoke of barriers to the delivery of the pilot scheme such as different drivers, accessibility of vehicles and insurance requirements, public service vehicle (PSV) licence requirements for bus drivers and collecting the general public for hire and reward. A major hurdle to integration is those who hold the budgets. A great deal of reference has been made to the budgets during the oral evidence sessions and to the fact that Northern Ireland cannot be compared to local government provision in the remainder of the UK. In addition, transport in England, Wales and Scotland has been deregulated for a number of years.

A major barrier to integration is the attitude of departmental officials in the three main Departments with transport responsibilities, who appear to be embedded in the respective departmental silos and are actively reluctant to accept suggestions for change. Examples of this include a new approach for regional transportation that will shape transport investment from 2015. It is isolated and insular to DRD alone and does not incorporate transport in other Executive Departments.

The Northern Ireland Audit Office report of June 2005, titled 'Education and Health and Social Services Transport', concluded:

*“there is scope for the development of a greater consensus on how the transport assets available within both sectors might be more effectively coordinated to improve operational efficiency and enhance the services provided to customers.”*

DHSSPS officials told the Committee that their response was to point out the constraints on doing anything in the Audit Office. Department of Education officials, in oral evidence and follow-up correspondence, referred to a downtime survey that indicated that there was little scope for the sharing of vehicles. That is despite the survey looking only at weekdays and during school terms. Other excuses provided included TUPE, timetabling, drivers' contracts and child protection, even though the majority of schoolchildren's travel on normal Translink services takes place during the school day, the evening and at the weekend. The Committee is content that there are no real barriers to integration that would prevent progress along that path.

Through the careful targeting of its study visits, the Committee has been able to see examples of how the perceived barriers have been overcome, such as

the designs for a front-loaded bus that caters for able and less able passengers, the leasing of buses to community transport organisations and the scheduling and collection of tariff-paying passengers in remote rural areas by voluntary drivers. The Committee also believes that a major attitude change is required at senior level right across the Departments, trusts and boards with responsibility for transport. That should commence immediately.

The new approach to regional transportation was launched in March 2012 and set three high-level aims covering the economy, society and the environment for the future development of transport. Those are driven by the Executive's Programme for Government and are supported by 12 strategic transport objectives. The new approach included a new policy prioritisation framework to assess the policy fit of what to do and to help reach a better decision on transportation investment by identifying the schemes that will best achieve the set out strategic objectives. The Department has been developing that framework in liaison with other Departments, including the Department of Health and the Department of Education. The Department will continue to work with key stakeholders in the development of the framework to ensure that the desired policy outcomes of the Executive are achieved.

**Mr Dallat:** The study of public transport and its development is a fascinating subject that knows no limits or bounds. It occupies the time of teachers and pupils as well as enthusiasts across the country as they learn of the stagecoach and especially the mail coach, which could deliver letters to Dublin faster 150 years ago. There is keen interest in the navvies who built the canals and those who first introduced steam engines on to our roads, who had to carry a red flag to warn of the danger. Everyone wants to know about the era of the steam trains: Stephenson's Rocket, the Flying Scotsman and our own history of Irish railways, which brought freedom of travel to people on a scale unimaginable.

Today, there is no such excitement about public transport and its development. Let us hope that this inquiry will bring a new stimulus and perhaps a renaissance that will get people excited again about the way we travel. The Committee certainly did not restrict its travel during the inquiry to discover what could be done to develop an integrated form of transport that would address the needs of people rather than the whims of those who currently run what can only be described as a system that is a little bit disjointed. It is costly to run and fails to meet the needs of many of the people who rely on public transport.

Much of what is recommended in the report should have happened, and it has happened in some of the places that the Committee members visited. The pilot study currently taking place in the Dungannon and Cookstown area will hopefully chart the way forward for an integrated public transport system that is fit for purpose and less wasteful in the way in which it operates. As was indicated by the Deputy Chairman, to make that happen new legislation will be necessary, as it was all those years ago when Stephenson's Rocket made its first journey from Stockton to Darlington, as it was when the red flag Act was legislated for when the first steam engines began speeding through the towns and villages at the breakneck speed of 4 mph, and as it has been for every new development in

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public transport. Today, with new technology, there is no reason why we cannot make better use of that technology to tailor public transport needs to the individual. Indeed, we saw good examples of that in Dublin and Glasgow, where they make use of the call centre model.

We need a commitment from those who hold the reins of power over a disjointed public transport system that falls far short of what we could have if only there was the creative wisdom and enthusiasm of our predecessors: the men and women who built the canals and the railways, pioneered the stagecoaches and brought travel within the reach of many people who had not travelled outside their own village before. Today, the scene is different, but the issues are similar. Many older people have free travel, but what use is that if the transport system is not tailored to their needs? That is one of the questions that this inquiry addresses, but, again, it can happen only if the Executive have the commitment and the determination to make it happen.

The report refers to the needs of less able customers. Although I have mentioned this last, it should be first in the list of priorities. Public transport has made strides to accommodate people with disabilities, but we fall far short of what is possible. In Glasgow, for example, the same buses can accommodate able-bodied people alongside those who use a wheelchair. That is real progress and is one of the fingerposts towards a fully integrated public transport system.

There has been a lot of speculation around this place about the future of some Ministers: I hope that the current Minister for Regional Development remains in his post. He has shown a lot of interest in this subject, and I believe that he is the person who will deliver.

**Mr Hussey:** I welcome the opportunity to speak on the motion. I apologise to the Deputy Chairman for not being here for the start of his speech. Unfortunately, I was at another event in the other House.

Unlike the previous Member who spoke, I do not remember the red flags or the steam engines. I hardly remember the trains in Omagh before they were taken away. However, I am delighted with the support that he gave to our Minister, who, I am sure, will feel confident in his position until the next election. *[Interruption.]* I did not see the whites of his eyes; I am looking at the back of his head.

The title of the report is fairly self-explanatory. It is about the better integration of services, which, in turn, could lead to a better passenger experience and, ultimately, to greater efficiencies and savings. That is something that the Committee, the Assembly and, no doubt, the Minister would agree on.

Criticism of Executive Departments working with a silo mentality is nothing new. Sometimes, Departments claim that they have no choice because of their budgetary arrangements, but that is not an excuse. If two Departments are trying to do the same thing, parallel to each other, that is not the best use of public money. That is a point that was also found during the Committee's work on the inquiry.

One of the first debates that I brought to the Assembly was a call on the Education Minister to carry out a root-and-branch review of home-to-school transport. That followed a number of deeply disappointing failures by the Department in the west Tyrone area, particularly the

Strabane area. Unsurprisingly, Minister O'Dowd does not appear to have given any attention to the problems raised in that motion. Therefore, is it really surprising that the same old problems are still occurring? That is an example of a Minister failing to act even after being mandated to do so by the Assembly.

Another point raised in that motion was the collaboration between the education and library boards and Translink. Both have their responsibilities, with Translink taking the lead role in the service. Indeed, the arrangement works quite well. However, there is still duplication, with buses running almost identical routes, often below capacity, and some households still being missed.

Of course, it is not just the education and library board buses and Translink that could co-operate on home-to-school transport but all types of transport, whether it is community buses or even taxis, on which a heavy reliance is still placed in a number of circumstances, especially in rural areas such as west Tyrone. That is a perfect example of an area where greater collaboration between Departments would be beneficial.

#### 12.45 pm

Although education would be the obvious area for collaboration, our health service also relies significantly on bus transport. Local community buses play an absolutely vital role in transporting patients, especially the elderly, where other means of transport are often not available. A prime example of that is in the Omagh to Enniskillen area where people from Omagh are attempting to get to the new South West Acute Hospital.

The Minister and his Department will shortly implement a pilot in the Dungannon area, and that is to be welcomed. I hope that it tests all the opportunities for better integration. That pilot is the opportunity for DRD to work with the local stakeholders, the SELB, the Health Department and trusts, as well as those bodies with responsibilities within the Department. However, I urge them to ensure not only that all organisations are properly consulted on an ongoing basis during the pilot but that the Department's expectations of them are made clear to them. The pilot will not deliver maximum benefit unless all bodies take part with equal esteem for it. I, therefore, ask the Minister to detail what steps his Department will take to ensure that it gets the necessary buy-in to make it applicable. I hope that the exercise will ultimately reveal enough opportunities for a joined-up approach to justify it being rolled out across the Province.

I am in no doubt that some aspects of our system, such as home-to-school transport, are already integrated to a significant degree, which is welcome, but the fact that one end of it is working does not excuse the changes that are needed at the other. The report has highlighted areas where there may still be scope for further integration. No doubt, the Minister and his officials will have read those with interest, and I agree that some are more relevant than others. I wish the Minister well in his efforts to deliver a better, more integrated bus transport system, and I am delighted that the SDLP has secured your place in the Assembly until the end of this period. *[Laughter.]*

**Mr Dickson:** I too fully support the recommendations in the report and ask the Minister, who will obviously be here

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for a very long time, to commit to implementing those forthwith, now that he has the time.

The report confirms the need for a more integrated transport network to better serve all the people of Northern Ireland. As others have said, the report highlights a disjoint in transport planning that results in duplication and overlapping of transport expenditure by all other Departments. That disjoint means that the Assembly has an enormous bill for transport without any Department taking consideration of effective and efficient delivery.

I ask the Minister to get together with the Minister of Health, whoever he may be, and the Minister of Education — I think we probably know that he will be here for some time — to introduce effective transport planning to ensure that there is a more efficient transport system that will provide an effective service to meet the needs of people across Northern Ireland. By centralising the transport planning function and with better integrated use of budgets, we genuinely have the opportunity to deliver a more person-centred transport system that will be more efficient, but we need to know where, why, when and how people travel. By planning transport to meet the needs of the public, we can create that modal shift. We can develop a public transport system using a mix of service providers, and we can reduce expenditure by making the best use of resources and assets.

If we had the capacity for the Department of Education's yellow buses to bring rural dwellers into larger towns with schoolchildren or for community transport to support access to hospital appointments, either through a direct connection to the hospital or by linking people to the main public transport network, we would have an integrated public transport system that was working for Northern Ireland. Although I welcome the pilot that is ongoing at the moment, my belief is that it is not sufficiently ambitious and more work needs to be done in order to develop it.

In order to progress an integrated transport system, the report highlights the need for clarity and confirmation on bus licensing. As a matter of urgency, I ask the Minister to confirm the role and future delivery of services by community transport providers and to ensure, along with the Minister of the Environment, that new bus licensing will not exclude or prevent the community and voluntary sectors from having an active and much-needed role in an integrated system.

The ongoing saga of bus licensing is creating a barrier to future transport planning. Regional Development Committee and the voluntary sector want to do more but are prevented from doing so because of licensing and departmental procedural arrangements. Any new licensing arrangements must allow the transport resources in the community and voluntary sectors and in health and education to be brought into the supply chain to allow a better mix of vehicles and services.

Finally, the silo mentality demonstrated by officials throughout the inquiry has to be dealt with. The Programme for Government aimed to reduce such silo approaches, but, to date, the Minister and his colleagues in Health and Education have failed to embrace the opportunity to work together to make a better transport system. The Health Department is good at delivering health, and the Department of Education is good at delivering education. Neither are transport suppliers, yet

both have enormous expenditure on transport. We need to stop and change that.

The report recommends a smarter way of delivering transport for Northern Ireland that enables collaborative working that will see justifiable savings for this Assembly. I urge the Minister to take forward the recommendations with immediate effect.

**Mr I McCrea:** I support the motion and the report commissioned by the Committee. If he has not already taken the opportunity to do so, I hope that the Minister will do some midnight reading and go through the report which, no doubt, will keep him up for quite a while.

Community transport was one of the key aspects of the Committee's evidence sessions. The Deputy Chairperson and others have mentioned the 10B licences, and there is a lot of concern about the way in which changes that have been made by the Department of the Environment to those licences will have an impact on the ability of community transport providers to continue to exist.

I know that, in dealing with community transport providers, the Minister has done his best to make the Community Transport Association's systems more efficient. However, it is important that, in delivering services — this was part of the inquiry — we integrate them into wider transport provision.

Much has been said about the mid-Ulster pilot. Although it is called a mid-Ulster pilot, it takes in only a very small part of the constituency. Nonetheless, it has an impact on part of my constituency, and I welcome that. As other Members said, it is a pilot, and there is room for improvement. I suppose that it has to start somewhere, and we have to see how it resolves the integration of services. I hope that we will see an outcome of that in the not-too-distant future.

The constituency that I represent is two thirds rural. One of the issues that I hear about day and daily is access to public transport. I have had conversations with transport providers that have tried to fill that gap, but getting people to the nearest bus stop is not part of their remit. There are difficulties for people who live some distance away from the closest bus stop and cannot get to the nearest town to do their shopping or travel on to hospital appointments and things like that. Those issues are important.

Mr Dallat, when he got to the present day, referred to the free travel that the Department provides for our senior citizens.

In that context, if people cannot access public transport without getting into their car and driving to their closest bus station, it defeats the purpose. Living in a rural area, the difficulties that arise from that are evident.

Doing nothing is not an option, as the Minister will recognise. Other Departments deliver similar services and, as suggested even during evidence to the Committee, are able to do so more cheaply. A common theme in the Committee evidence sessions was that a lot more could be done to try to deliver the integration of services a lot more efficiently and in the best interests of the people whom we represent.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Ceapaim go ndearna an Coiste Forbartha Réigiúnaí piosa iontach oibre ar an ábhar seo. Agus cosúil le daoine eile, ba mhaith liom labhairt i bhfabhar an rúin agus na

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tuarascála fosta. I am very happy to speak in favour of the motion and recognise the work of the Committee in delivering this report.

The Regional Development Committee's report provides a progressive and productive set of recommendations, and I ask Minister Kennedy to implement all of them as soon as possible. The provision of transport here costs the public purse over £200 million per annum, and the Minister has the opportunity to take forward progressive actions to ensure that transport in the North will be fit for purpose, meet the needs of the people, integrate the mix of service providers and make the best use of resources bought and paid for by the Assembly.

John Dallat, in a contribution in the style of John Betjeman, rightly remarked on the field trips taken by the Committee. The value of those field trips is reflected in the report, in that they looked at best practice in Dublin, Scotland and Holland.

The Committee wants the Minister to adopt the example set by Transport Scotland in 2009, which introduced a mechanism whereby departments of an organisation or various organisations jointly plan and deliver transport and share resources, vehicles, drivers, staff and procurement to optimise their use to meet the service demand and enhance the delivery of transport to appropriate users.

It is vital that Minister Kennedy develops an action plan in partnership with the Minister of Health, Social Services and Public Safety, Edwin Poots, and the Education Minister, John O'Dowd, to centralise transport resources, including budgets, and plan for a more integrated transport system.

Reference was made to the two trial schemes — the two pilot projects — and there were some concerns in the Committee about the way in which they were delivered, particularly the uptake of and publicity for the Enniskillen/Derry pilot, and the time frame and delivery of the Dungannon pilot, given that it has been held up as a model of best practice for the roll-out of the project elsewhere.

There is an opportunity to expand the current transport planning function in DRD, thereby removing private vehicles from our roads. By adopting an accessible transport planning model, DRD can take forward centralised functions that will meet the needs of health, education and public transport by mapping and identifying appropriate transport functions for people. Combined with a centralised call centre approach, integrated ticketing across a mix of vehicle suppliers and the tracking of vehicles, that will deliver a properly managed transport network, taking and making the best use of resources and money.

By working together, all three Departments have the ability to create an inclusive integrated transport solution that will provide better access to services for the public.

There is a need to include the community transport sector. I take this opportunity to praise the work of the CTA and other community transport providers as part of the transport mix. Throughout the inquiry, the Committee heard how the community transport sector wants to play a more effective role to help to deliver solutions to older people, people with disabilities and people who live in rural areas and/or in isolation. However, there are a number of barriers to prevent this Assembly from making best use of these suppliers. Bus operator licences, as others have

mentioned, are still not sorted, even though the review started in March 2010, and current procurement systems exclude non-profit community transport suppliers from being able to deliver services.

### 1.00 pm

It is vital that the Ministers for Regional Development and the Environment confirm the licensing agreements to allow our much-respected community and voluntary sector to deliver a wider remit and enhance services as we move transport forward. No one expects our recommendations to be fulfilled overnight. However, the Committee has watched in horror as officials have ignored requests from the Audit Office to come together. The silo mentality needs to stop. The Assembly can no longer afford to have the Departments spending millions duplicating services.

I am proud of the report presented by the Committee and encourage the Minister to take forward the recommendations quickly, with actual results being realised before the end of this Assembly period.

**Mr Storey (The Chairperson of the Committee for Education):** I rise to make a few comments in relation to this report as Chair of the Education Committee. This is not the first time that I have stood here on behalf of the Education Committee to discuss issues in relation to public transport. Home-to-school transport is a key example that we need to clearly define and clearly understand, as it provided a lifeline in many isolated communities, but carries with it a substantial cost of somewhere in the region of £70 million per year. About half of this money goes to Translink, and I believe that the Regional Development Committee will be pursuing the issue Translink's profits in the coming days.

About £23 million, based on 2010-11 figures for the home-to-school transport budget, goes to keep the education and library boards' fleet on the road, and three quarters of that money goes to cover staff costs. To be clear, it appears that these costs are paid whether the bus is on the road or not, and I think that that is an issue that needs to be addressed.

The education and library board bus fleet could therefore be thought of as a sunk cost. Greater use of these buses could have a relatively small marginal cost, with untold benefits for taxpayers throughout the rest of Northern Ireland.

A better, smarter use of publicly owned vehicles is obviously a good idea, and indeed I understand that following the commencement of this inquiry, the Departments of Education and Health were prompted to undertake the pilot that has been referred to in Dungannon. My colleague from Magherafelt Mr McCrea referred to it. Also, Mr Easton referred to the hurdles that have appeared in relation to this particular pilot and all the problems that seem to have emanated from it.

What is the problem, and what is to be done? The report recommends a review of the legislation to ensure that vehicles and services can be used for a wider range, and the report also recommends an Executive-wide approach to the funding of transport across the whole public sector, including education. The Committee for Education is very happy to endorse these sensible and, I believe, achievable recommendations.

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The Committee hopes that it will soon see the Department of Education's PEDU action plan for school transport. We have been waiting for this longer than you would wait for a bus. I throw out the challenge to all the people in the House this morning — this afternoon, now — who are singing the praises of public transport: how many actually use public transport to come to this House? Well, it was not because I was speaking on this today, but I used the train to come here, as I do regularly. As I have said to the Minister in the past, the trains are good but the bus service is less than good. The connectivity between Central Station and this House is something that needs to be looked at.

However, moving on from that, I was worried when the Member for East Londonderry stood up. He was going to have us all back on steam trains and back on the canal. Maybe that is a reflection of the politics of the party that he belongs to and the era that it comes from.

We are still waiting, after 18 months, for the PEDU action plan. What did it say? The PEDU action plan is a very detailed analysis. We don't need any more figures or facts, but in 2010-11, £75 million was spent transporting just under 90,000 Northern Ireland pupils from home to school and back. At a time when we are told that pupil numbers are falling, that represents an increase in spend of 17.3% compared with 2004-05. The net result was that the cost per pupil increased by 28% over the past five years. In addition, the increase in costs has not been uniform across the five education and library boards. The cost per pupil in the South Eastern Education and Library Board rose by 14.3%, while in the Belfast Board the unit cost increased — let Members hear this — by 58.7%. Something is going wrong, and somebody, somewhere is benefiting as a result of the process.

**Mr Speaker:** The Member's time is almost gone.

**Mr Storey:** Much more could be said about the PEDU report. I call on the Minister to use his best endeavours to ensure that the Minister of Education plays his active part in delivering a proper, well-funded and fit-for-purpose transport system —

**Mr Speaker:** The Member's time is up.

**Mr Storey:** — in our schools.

**Mr McAleer:** Thank you, a Cheann Comhairle. I speak in favour of the motion. As the Members who spoke previously said, £200 million is spent each year on transport. Apart from the two pilot studies that have been referred to, there has been very little attempt to join up the various providers. Like the Members who have spoken, I have seen situations in which vehicles from different providers collect people at the same time and travel on the same routes.

Since joining the Committee for Regional Development last September, I have sat through meetings in which compelling evidence has been presented for a shared transport solution. However, I have also heard from providers who are more focused on the reasons that that cannot happen. Indeed, the term "silo" was often used to describe that failure or unwillingness to join up transport provision. That has been very apparent in some of the evidence sessions and has flagged the need for a serious attitudinal shift at a more strategic level.

Along with other Committee members, I had the opportunity to take part in one of the fact-finding trips, which was to Dublin and Glasgow. In Dublin, we were briefed by representatives from the National Transport Authority. We learned about its local integrated transport services pilot scheme, which used successful case studies from Louth, Meath, Sligo and Leitrim to illuminate the strategy's objectives. We heard about different opportunities for integration such as the collect-and-connect services, whereby passengers can access local services that bring them to an interchange point that connects with the scheduled services; hospital-feeder services; co-ordinated journey planning; and integrated ticketing. All of that provides valuable lessons for an integrated transport solution in this part of the island.

The second leg of the fact-finding visit was to Glasgow. We visited the headquarters of the Strathclyde Partnership for Transport (SPT), which is the largest of seven regional transport partnerships in Scotland. It covers a wide, rural geographical area that bears many similarities to the North in topography and demography, albeit that it has a larger population. The partnership is funded by the local authorities and central government and has a remit for planning and co-ordination for the 12 member councils in its area.

In evidence sessions in Parliament Buildings, we heard that there are barriers to sharing transport among certain providers, particularly on issues such as child protection and the challenges connected with catering for people of various levels of ability on the same vehicles. However, when Committee members were briefed on the operation of the SPT's Flexibus service and had the opportunity to experience it at first hand, that removed any remaining doubt that an integrated transport solution cannot be found. In fact, the template is already there.

On the subject of catering for people of different abilities, the SPT officials made the point that, rather than segregating and effectively labelling people, their buses are designed to cater for all abilities. Therefore, the child who is a wheelchair user can be collected on the same basis as his or her able-bodied peers. The officials further pointed out that those buses have minimal downtime. Once the school runs are completed in the morning, the Flexibus is used for a variety of purposes during the day; for example, as a local bus service. That is what provoked the quote that is included in the Committee report. The deputy chief executive said to us:

*"You just have to sweat the bus a wee bit more!"*

All that is anchored through a call centre, which Members also had an opportunity to visit and learn about.

The evidence that I have heard to date overwhelmingly supports the view that a silo mentality exists among our transport providers, which costs millions of pounds every year. A shared transport solution can be found, but it will require a serious attitudinal shift.

**Mrs D Kelly:** When it gets to this stage in a debate, it is difficult to know what new information I can add or what questions I can ask the Minister, who, of course, has my full endorsement as well as my party colleague's.

I put on record my thanks to the Committee staff, the Research and Information Service staff and the Committee Clerk for putting the report together and assisting us with

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our inquiry. It is important Committee work that can bring something new to the table to address concerns across the broader community and among stakeholders.

Later today, there will be a debate on how the next mandate should decide its Programme for Government in advance of its Budget. That is to be welcomed. If we come to the debate with a mature, grown-up attitude, there is some hope that, in trying to work in the best interests of all our people, we will recognise the importance of transport to all our citizens. The historical underfunding of public sector transport, in particular, ought to be addressed.

As Members said, real savings can be made through an interdepartmental and integrated transport system in which the Education Department and the Health Department do not stand alone, with the public sector being out on a limb. I fully endorse the report's recommendations and their outworkings. The Audit Office report, 'Education and Health and Social Services Transport', made its conclusions some eight years ago, and they have not yet been acted on. I hope that we do not have to wait as long because, financially, we cannot afford to do that.

When evidence was being taken from various stakeholders, I discovered a surprising fact, which is the lack of professionally qualified transport planners in the Department. I will be interested to hear how the Minister hopes to address that matter in the short term.

Mr Storey talked about public sector and school transport. In Committee, I raised the point that in rural communities — certainly in the area that I live — there would be no public transport, by and large, if the schools were off. People have to walk at least half a mile to the nearest bus stop, which is unacceptable in the 21st century.

The needs of disabled users, particularly people with visual impairment, is also an area of concern.

One recommendation states that integrated ticketing systems should be extended beyond Belfast and Dungannon. There is also the issue of zoning.

If we are trying to get a change in culture and a different type of transport, there are short-, medium- and long-term recommendations in the report. I will be interested in how the Minister sets out an action plan to address those recommendations.

**Mr Kennedy (The Minister for Regional Development):**

Thank you very much, Mr Speaker, for the opportunity to respond to the debate on the Committee for Regional Development's report on the better use of public and community transport funding. The contributions have been very good.

The concept of local public transport planning and the integration of services was first proposed by my Department as part of a consultation on public transport reform in 2009-2010, so it is not a new issue. The report that we are looking at today makes a contribution to that. It will also provide a useful input to the work that my Department is already co-ordinating with other Departments; we are looking towards the pilot scheme, particularly that in the Dungannon area. Committee members and other Assembly Members are well aware of that work. I will not be tempted to speculate on my tenure in this post, save to say that I always recall Harold Wilson's maxim that a week is a long time in politics; it would be very wise for all Members to reflect on that.

**1.15 pm**

The pilot scheme involves my Department working with other organisations that either fund or deliver public transport services to assess and test the opportunities for better integration of services and the greater efficiencies that may be achieved. In doing so, it is hoped that we can improve the passenger experience by providing improved travel options. Preparatory work for the Dungannon pilot scheme is under way, and it will begin in earnest in September.

There is no shortage of organisations involved in the scheme: the Department of Health, Social Services and Public Safety; the Health and Social Care Board; the Southern Health and Social Care Trust; the Department of Education; the Southern Education and Library Board; the Department of the Environment; the Department of Agriculture and Rural Development; the rural community transport partnership in the area; the Federation of Passenger Transport, representing the public transport industry, including private operators; and, importantly, Translink. There is a wide-ranging and full list of groups and key stakeholders involved. In addition, as part of the preparatory work for the implementation of the pilot later this year, officials have been consulting with a wide range of stakeholders, including Dungannon and South Tyrone Borough Council and Cookstown District Council, the Rural Community Network and the Consumer Council, which will take forward some work on behalf of the Department to identify transport-user requirements in the pilot area.

It is early days in the preparation for the pilot. However, from the analysis of the network that has been carried out so far, it is clear that there are opportunities for more integration between Translink and the Southern Education and Library Board on school services. We want to trial these opportunities fully during the pilot. Another area that we are keen to trial is improved integration of community transport and school transport services on some minor roads in the area. That would enable us to test the viability of combining school transport and community transport in very rural areas to improve accessibility and make them both more financially sustainable for the long term.

Of course, we already have a considerable degree of integration in public and school transport, with Translink transporting nearly 60% of pupils who are entitled to home-to-school transport. It is rather disappointing that the Committee's conclusions did not acknowledge that as an example of good practice in service integration, because it provides us with a very good foundation on which to build. I say, in the correct spirit in which it is intended, that there is a lesson here that, to have your voice heard clearly in critique, you also have to be fair with positive comment. The existing integration also has the major advantage of helping to safeguard scheduled public transport services in rural areas, where it would otherwise be tough to justify fully the costs involved in providing services for public transport users, many of whom depend on public transport and do not have access to other forms of transport.

As has been raised in the debate, the pilot also plans to test the scope for better integration of the transport for children and adults with special needs, and that will involve the Southern Education and Library Board and the Southern Health Trust.

Improvements in passenger information are also being trialled, both through improved electronic information and targeted paper-based information about specific services. The focus of that work will be on how best to provide the fullest information to passengers and potential passengers about how to reach destinations that attract large numbers of users, such as the South Tyrone Hospital in Dungannon, Craigavon Area Hospital and the South West College in Dungannon. The aim will be to help more people to have easily available information about the public transport services in the area, including the interconnecting transport services that are often necessary for people who live in the more rural locations.

Joined-up transport is not only about tailoring public transport to services; it is about ensuring that future locations for service are accessible to existing transport. It is planned to introduce initial improvements on the ground as early as the autumn. Those changes are likely to be in school transport provision, and, thereafter, further improvements will be introduced on a phased basis as solutions are developed. The pilot will run for about one year during which time the new arrangements will be evaluated.

Even at this early stage, it is expected that the changes will be sufficiently beneficial for the organisations involved to consider implementing them in other areas. That will require a delivery model to be developed, through which the very detailed work that is required to implement and sustain such improvements on a wider scale can be undertaken. A business case will be needed and will require expert transport planning input. That will assess the cost and benefits of wider roll-out, including the organisational and implementation arrangements that are necessary. The development of such an appraisal will need to be undertaken jointly with other Departments, and the necessary cross-government project management arrangements are already in place to facilitate that. At key points along the way, I will want to involve my Executive colleagues in all of this, and there may also be a need for some legislative change to be taken forward by the Department of the Environment.

As the Assembly will understand from reading the Committee's report, there are no ready-made solutions that we can simply lift from other jurisdictions. Many different models have been tried with varying degrees of success, and my Department has taken those on board. However, as I indicated, our public transport and school transport systems are already integrated to a significant degree. I have heard the harsh criticisms of the silo mentality, and I am interested in doing something about that.

For the first time, we have the advantage of having all the key players committed to and involved in helping to design the pilot arrangements, and that collaborative approach is proving very helpful in identifying potential opportunities to do things better. Implementing the pilot will require a significant ongoing effort from all the organisations involved, and designing arrangements that are suitable for delivery on a wider scale will also require considerable effort. The Dungannon pilot provides an important catalyst and an opportunity to design arrangements for the future that are user-focused and as efficient as possible. I am glad that the Committee's report is broadly supportive of my Department's direction of travel, and the Department

will respond more fully to the recommendations in the coming months as the pilot progresses through its various stages.

You did not indicate how long I have, Mr Speaker.

**Mr Speaker:** Fifteen minutes.

**Mr Kennedy:** Thank you very much indeed.

I will deal with some of the issues raised by Members. The Deputy Chairman of the Committee said that he felt that there was no great willingness for integration. That is not the sense that I have. He raised a couple of queries about the transport agency. It was never intended to centralise departmental budgets through the DRD transport agency.

The agency is intended to deliver the new transport authority functions, including contracts with Translink. Of course, these are now the responsibility of Transport NI.

On the integration of health trusts with other providers, the pilot will explore the potential for the integration of transport services for children and adults with special needs. Mr Lynch and Mrs Kelly mentioned the number of officials and experts involved. One full-time planner is employed, and an additional planner will shortly be recruited.

Cathal Ó hOisín and Seán Lynch referred to the Altnagelvin to Enniskillen pilot. That is in operation and due to be evaluated later this year. At this stage, the uptake has not been as high as expected, but we continue to review it.

Mr McCrea asked about the criteria for accessibility to mainstream public transport. It is hoped to test the concept of a collect-and-connect service in the pilot, involving community transport that will take passengers to join the main Translink service. This, as he knows, already happens in some areas. We will have to look at the implications of the licensing review for changes to the 10B licences with DOE, but that should not impact on the ability to deliver the pilot.

My colleague Ross Hussey referred to integrating SELB and Translink delivery, and that will be looked at as part of the pilot process.

Generally, from Members' contributions, I gained an understanding of their frustration at the perceived silo mentality and their perception of budgets, but we must not underestimate the challenge of trying to improve the situation. That is not to say, of course, that we are not determined to deliver and absolutely committed to delivering. I am committed to delivering a cost-effective and comprehensive public transport network that will increasingly become a real alternative to the private car and provide real choice.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I thank the Minister and Members for their positive comments during the debate, some of which I will return to in due course. What I heard encourages me, and I am even more convinced about the merits of an integrated transport system. At a time of economic uncertainty and high fuel prices, I firmly believe that integrated public transport is more important and sensible than ever. From an economic point of view, we need it to link people to jobs and services and help our villages, towns and cities to improve. We need to make better use of our public transport budgets. We must re-prioritise the existing sources of transport funding to enable the targeting of resources more directly on

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integrated public transport projects that deliver clear economic and social benefits.

I will refer to a number of the Members who spoke in the debate. Alex Easton highlighted the need to centralise budgets, and he and many others mentioned the silo mentality. He raised the important point that the regional transport strategy does not reference fleets in other Departments. It is difficult to know how important integrated transport is when the main transport strategy does not even refer to it.

### 1.30 pm

John Dallat was very much in the past on modes of transport; I just realised why he drives a Morris Minor. He is not in the Chamber, but he also talked about the need for greater stimulus for better integrated public transport that is fit for purpose today and tailored to the needs of users.

Ross Hussey, who never misses a chance to mention west Tyrone, stressed the need to exploit the potential of the pilot project and the need for all key stakeholders to be encouraged to participate. Stewart Dickson highlighted the design of our transport system and called on the Regional Development Minister to meet the Health Minister and the Education Minister to address fragmentation. He also called on the Minister of the Environment to sort out the community transport licensing issue, which is important.

My colleague Cathal Ó hOisín said that the recommendations were progressive and called on the Minister to put together an action plan that includes the centralisation of budgets. He also, quite rightly, spoke of the value and importance of the Community Transport Association. The Chair of the Education Committee, Mervyn Storey, referred to the cost of the education fleet and endorsed the sensible and achievable recommendations. We welcome the support of colleagues on the Education Committee.

Declan McAleer spoke of the compelling evidence for integrated systems and called for an attitudinal shift at senior level. Dolores Kelly endorsed the report and suggested that there might be mature debate on budgets and greater interdepartmental co-operation to bring about integrated transport systems, including ticketing.

I reiterate that the Committee fully appreciates the complexities of transport integration and that getting there is not going to be a quick process. However, the real examples of efficiency that are being achieved through, for example, fleet reduction and fuel procurement provide the Committee with encouragement that significant efficiencies can be achieved in the North of Ireland and that a user-ended service, with wider and more complete coverage, is possible. The Committee believes that the deputy chief executive of Strathclyde Partnership for Transport hit the nail on the head when he was asked how his organisation had been successful in its integration efforts. After a little thought — and this little statement was mentioned by my colleague Declan McAleer — he said, “You just have to sweat the bus a wee bit more.” Sometimes, I wonder what he meant by that.

The Committee believes that this is achievable through collaborative working by the public and community sectors, but only if it gets the buy-in at the top: at the Executive. We need someone to champion this and to take us out of the silos that most Members mentioned as a barrier. We need

someone who will provide the catalyst for change. The Committee for Regional Development believes that it is time to start that movement towards change, and I ask the House to support us in that belief.

I welcome the Minister's contribution, although I hope that the report represents more than a “useful input”, as he termed it, to the work of his Department. Although the Minister listed all those who sit around the table in Dungannon, the evidence provided by his officials was that the implementation of the pilot is restricted to school and public transport. I welcome his acknowledgement that something needs to be done about the silo mentality, and I hope that he addresses that urgently. Unless that is addressed, the pilot and the potential advances in our report are doomed to failure.

*Question put and agreed to.*

*Resolved:*

*That this Assembly approves the report of the Committee for Regional Development on its inquiry into the better use of public and community sector funds for the delivery of transport options; and calls on the Minister for Regional Development, in conjunction with his Executive colleagues and relevant bodies, to implement the recommendations.*



## **Assembly and Executive Review Committee: 'Review of d'Hondt, Community Designation and Provisions for Opposition'**

**Mr Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer will have 15 minutes to propose the motion and 15 minutes to make a winding-up speech. All other Members called to speak will have five minutes.

**Mr Moutray (The Chairperson of the Assembly and Executive Review Committee):** I beg to move

*That this Assembly notes the report of the Assembly and Executive Review Committee on its 'Review of d'Hondt, Community Designation and Provisions for Opposition'.*

In December 2012, the Committee agreed that its next priority was to review the issues of d'Hondt, community designation and provisions for opposition. The Committee also agreed that although each was a separate issue, the interrelationship between the three areas should also be considered, and that was made clear in the review's terms of reference. As Members will see, the terms of reference also made clear that the principles of inclusivity and power sharing should be safeguarded within the Northern Ireland institutions.

The Committee's detailed "call for evidence" paper was agreed in February 2013. It was made available on the Committee's webpage, and a signposting notice was published in three regional newspapers. The Committee also wrote to a range of stakeholders, including academic experts and all political parties registered in Northern Ireland. The Committee received and considered 22 stakeholder responses to its review. It took oral evidence from Professor Derek Birrell, Professor Yvonne Galligan, Professor Christopher McCrudden, Professor Brendan O'Leary, Professor Rick Wilford, and Dr Robin Wilson and Ms Eileen Cairnduff from Platform for Change. The Committee also visited the Scottish Parliament and met representatives of the Scottish Parliamentary Corporate Body and the Parliamentary Bureau, in order to inform the review. On behalf of the Committee, I would like to sincerely thank all those who took time to respond to our call for evidence, particularly those who came to the Committee to give oral evidence and those in the Scottish Parliament who shared their experience and knowledge and extended their hospitality to our Committee members.

Before I refer to the conclusions in the report, I want to make clear the context within which the Committee worked. First, the complexity of the issues reviewed in the report should not be underestimated. I would like to thank the Assembly Research and Information Service for the research papers it prepared, which provided useful detail on the existing provisions both here and in the other legislatures throughout these islands. Secondly, each party came to the review with its own perspective. That was, I believe, well informed by the evidence gathered over the course of the review. Thirdly, the Committee had to take care to consider the existing structures and procedures in the institutions here, which were carefully crafted through various pieces of legislation and the Standing Orders of this House. Although the Committee's focus was to improve the effectiveness of the Assembly, it would not wish to do anything that would in any way

affect the effectiveness and stability of our institutions. That caution was echoed by Professor McCrudden when he gave evidence at the Committee on 5 March 2013. He said:

*"there is a danger in picking and choosing bits of another system and assuming that they will have the same effects when transferred to your system. We suggest considerable caution in that regard. The system is an organic whole and operates in a particular way."*

The Committee gave a lot of thought to the various issues raised over the course of the review. Although it did not reach consensus on some issues — notably, whether the d'Hondt mechanism should be replaced and whether community designation should be retained — I wish to assure the Assembly that the Committee considered and discussed those issues in some detail. Similarly, all the issues surrounding provisions for opposition were also considered in detail. Comparisons were inevitably made with other legislatures. However, the Committee remained mindful of our unique circumstances and the fact that these institutions, as I stated earlier, were carefully constructed to accommodate the spectrum of political opinions that exists here.

As the report states, there was recognition that parties already have the right to opt out of taking up their Executive entitlement following an election or to withdraw from the Executive at any time. The Committee also recognised that the principle of proportionality within our institutions should be protected. Therefore, although there were differing views on what rights should be afforded to non-Executive parties, there was consensus that those rights should broadly reflect the level of electoral support each party received.

Members will note that the Committee concluded that parties of the incoming Executive should, after an election, aim to agree a heads of agreement of a Programme for Government in advance of the formation of the Executive via d'Hondt. That would be an important development, particularly in the context of informal, non-Executive opposition parties.

The Committee identified two areas that merit additional work: technical groups and petitions of concern. Provision for technical groups might allay some of the concerns of smaller parties and independent Members in the Assembly. Therefore, the Committee felt that it would be useful for such provision to be reviewed. It would be fair to say that most respondents to our call for evidence expressed an opinion on petitions of concern. The Committee also received a briefing note from the Assembly Research and Information Service on the subject, as well as legal advice. It is a complex area that the Committee felt should be considered in greater depth, hence the conclusion that the issue will be reviewed in further detail.

The Committee gathered a wide range of evidence during the review. I encourage Members to read the responses to our call for evidence, and the Hansard reports of our evidence sessions, and reflect on the different opinions expressed in those. As I said, I hope that Members will appreciate the complexity of the issues that the Committee faced. Indeed, I hope that Members will also appreciate that the Committee did its best to give those issues the

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detailed consideration that they deserve. I am in no doubt that all Committee members would say that the review process developed their thinking on those issues. That is a valuable outcome that should not be underestimated. It is now for the Assembly and, indeed, the Executive to develop and implement the Committee's conclusions.

On behalf of the Committee, I acknowledge and thank the Committee staff for their valuable work and support during the review. I also thank the Assembly Research and Information Service staff, the legal advisers and Hansard staff for their contribution to the review. The Assembly and Executive Review Committee requests that the Assembly note the Committee's report.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. I am speaking on behalf of my party on the review. I thank the Chair of the Committee, Stephen Moutray, for taking us through the discussion and, as he did, I thank the Committee Clerk and the staff for their work. I also thank all those who provided oral and written evidence.

As the Chair said, there was wide-ranging discussion throughout. In many ways, it cleared the way and, as he said, informed our thinking on future decisions. Gabhaim buíochas libh go léir as sin.

As with all the work that the Assembly and Executive Review Committee has done in the past, we are guided by what we consider to be the fundamental principles of the Good Friday Agreement, which are inclusiveness, representativeness and equality. That is how we arrived at the three topics in the review, and I note that the Chair said that, flowing from our discussions, there were issues around petitions of concern and technical groups. We look forward to discussing those in the future.

We are very clear that d'Hondt should continue. We received evidence on d'Hondt, and, at present, it seems to be the best model to guarantee or underwrite the need for inclusiveness and representativeness, so we are happy for it to continue. We are also happy for community designation to continue, and we put that forward in our submission.

We outlined our view of opposition, which is written into the report at paragraph 95. Some people approach the model of opposition as if it were an add-on to the system that we already have in place. However, Professor McCrudden had words of caution:

*"there is a danger in picking and choosing bits of another system and assuming that they will have the same effects when transferred to your system ... The system is an organic whole and operates in a particular way."*

When people provided evidence and commentaries, many pointed to the system of government and opposition at Westminster.

Indeed, when they do that, they nearly put it up as being the best model, yet they go on to argue that, if a party opts out of the Executive, it should be given Chair and Deputy Chair positions as a means of showing that opposition. In the Westminster model, it is the opposite. The Government hold on to the Chair and Deputy Chair positions and are precious about doing that because of the particular system. Indeed, when Brendan O'Leary gave evidence to

the Committee on 5 March 2013, he said that one of the features of our arrangements is:

*"you can decide not to participate in the Executive and yet, remarkably, receive your entitlement either to chairing or deputy chairing Committees, for which there is no analogue in the Westminster model of democracy. It seems to me that, for that reason, opposition parties get a very reasonable share of resources and opportunities under the existing system."*

Therefore, you have a system that is described as organic in place for a particular reason, and then, all of a sudden, people want to change it. That is where the discussion should be.

#### 1.45 pm

There is a rationale for wanting to change it — quite legitimately, for self-interest or party interest — but people often use models, and, when those models are examined, they do not exactly provide the answer that they seek; indeed, they undermine some of the arguments that people make. I suppose that that comes back to the rationale. At one time, people believed that the centre would remain in control. Indeed, Bishop McKeown alluded to that on 'Sunday Sequence', when he said that the assumption of the Good Friday Agreement was that the centre ground — the two parties — would remain in control. Now that they are no longer in control, the discussion around opposition seems to have increased. The system was put in place for a reason, and, in our view, that reason has not changed.

**Mr Speaker:** The Member's time is almost gone.

**Mr McCartney:** Therefore, we support the review.

**Mr McDevitt:** I am happy to support the report. I found the work of the Committee in preparing the report very useful. A fair few myths were left in the ditch, including the myth that we are not well funded here. I am afraid to say that our parties are well funded. We are all well funded, particularly the smaller parties. They are disproportionately well funded compared with how they would be funded in other jurisdictions, which, I think, is right and proper.

The other thing that is interesting about the report — *[Interruption.]* It is nice to welcome the smaller parties to what is effectively an extended Committee meeting. That is important, and we should look forward to their contribution today and reflect on it in as much detail as we can. The other interesting thing about the work was that we found that everything in the garden of the Good Friday Agreement was not all that bad and there was much in the Good Friday Agreement that seemed agreeable to everyone in the House. The principle of power sharing, for starters, appears to find practically unanimous support in the House, and the application of the d'Hondt formula as a method by which we can determine how we share power in the House appears to be recognised by all sides at this moment in time as best meeting our needs.

During the Committee conversations, it was interesting to note that it became obvious that all parties are very wedded to a strong Committee system, feel very defensive of the fact that we have very powerful Committees in the House and are anxious to see those Committees grow further, exercise even more influence over the work of the House and find ways of being able to deepen their accountability duty towards the Executive.

Tuesday 2 July 2013

I am content with the report because, last November, I asked the SDLP at conference to endorse what we call d'Hondt opt-out; in other words, to endorse a model of government going forward that evolves the spirit and builds on the principles of the Good Friday Agreement and is still protective of the allocation of seats in a power-sharing Executive after an election using the d'Hondt formula but allows a party's explicit rather than implicit right to opt out. If you are going to ask parties to exercise a decision to opt out of something, it needs to be not only because they did not do well in the election but because they do not really agree with the direction of travel.

Government is not meant to be about carve-up, and I do not think that there was ever any intention by those who penned the Good Friday Agreement or those of us who have been made custodians of it since — all of us in the House are custodians of it — to reduce the politics of this region to some type of carve-up. Therefore the fact that this report, with the support of all parties, with, I think, the exception of Sinn Féin on this specific point, invites us to step up to the challenge of, at the very least, agreeing the heads of a Programme for Government before we form an Executive, is a significant sign of slowly maturing politics here. If we are to build a credible democracy and deepen power sharing, it is essential that we do so on the strength of ideas and argument around the direction of society and not just on some sense of having shared power between the major parties representing the predominant communities. That is an important moment and one that we should reflect a little on.

I hope that, in the years ahead, government continues to be a big tent around here. I hope that every party that is entitled to sit at the Executive table still wants to do so, but the way they will be able to do that, so that people will have confidence in them doing so, will be by all of us beginning to put policy and the battle of ideas, rather than the battle of interests, at the heart of the critical decisions that will be made after an election.

**Mr Beggs:** At the outset of the debate, it is important to note that, although major decisions are ultimately taken elsewhere, the backdrop of the Assembly and Executive Review Committee has been worthwhile in examining the structures that exist and can exist in the future. We received evidence from a wide range of experts, and, again, that was helpful. We also considered how other jurisdictions do business. It is disappointing that one party — Sinn Féin — did not engage constructively in the process of trying to improve devolution in Northern Ireland. Sinn Féin refused to back any changes during the work that the Committee undertook. That was not the approach of the Ulster Unionist Party. We think that institutions must change, adapt, grow and take into account the changing world around us. We cannot simply stay as we are.

The Committee considered three principal areas, the first of which was the d'Hondt process. We understand that d'Hondt should pertain in the short to medium term. However, it is tied to other issues, such as the creation of an opposition. In Northern Ireland, it is important that an equitable mechanism for allocating cross-community ministerial places and Chairs is in place, especially when there is a coalition Government in place. We want to avoid stalemate, and it should be possible and should not be a huge deviation from the principles set down in the Belfast Agreement — or the St Andrews Agreement, to make others happier.

It is also important to look at what happens when we depart from the agreed mechanism. For example, the Alliance Party has two Ministers, while bigger parties have only one: how did that happen? That is something that we must rectify. We have been clear that the allocation of the Justice Ministry, on a cross-community basis, should count towards a d'Hondt pick. That would be fair.

I also think that there is merit in running d'Hondt concurrently with Ministers and Chairs to allow for proportionality. That point was made on a number of occasions in Committee meetings. A party that opted not to take up a ministerial place to which it would be entitled, whilst not receiving additional resources — in fact, it would receive less — could choose to concentrate its scrutiny of the Executive through prominent roles in Committees. What would be wrong with that? It would, surely, make life more interesting in Northern Ireland politics.

On community designation, our clear view is that moving away from community designation and towards a weighted majority should be welcomed. It would represent a normalisation of politics here. Again, we could maintain the current requirement for cross-community voting, so that one community would not dominate another. What would be wrong with that? We have to aspire to more normal government.

There would also be an opportunity to restructure the current petition of concern, which is, clearly, being abused regularly. Perhaps, the most striking case of that occurred recently, when the DUP used a petition of concern to knock down an Ulster Unionist amendment that was supported by virtually the whole of the rest of the Assembly. That was never envisaged when the concept of a petition of concern was established. It is a clear abuse of the system. It is being operated not for good governance but for narrow party political advantage.

We have long heard the view that the best form of government is one that has an official opposition. We want to move towards that. Voters would then have a more significant role in changing Ministers, following the outcome of an election. At present, there is a certain degree of apathy because, no matter how you vote, you can be sure that certain individuals will pop up and be Ministers. That does not encourage or empower voters to bring about change. We should all be open to how we can move towards that and bring it about.

Scrutiny and accountability would undoubtedly improve if there were an empowered official opposition. We wish to move towards that. We must also address the current apathy amongst voters, give them clearer choice and provide alternatives as to which parties they wish to govern Northern Ireland.

**Mr Speaker:** The Member's time is almost up.

**Mr Beggs:** It is not helpful to look at opposition in financial terms, but, rather, it should be a question of what resources, functions and provisions are needed to have an effective opposition in place.

**Mr Speaker:** Order. Question Time commences at 2.00 pm. I ask the House to take its ease until then. We will certainly return to the debate after Question Time, when the next Member to speak will be Stewart Dickson.

*The debate stood suspended.*

2.00 pm

(Mr Deputy Speaker [Mr Dallat] in the Chair)

## Oral Answers to Questions

### Health, Social Services and Public Safety

#### Accident and Emergency Departments: Waiting Times

1. **Mr Kinahan** asked the Minister of Health, Social Services and Public Safety to outline the accident and emergency departments that are not meeting the target of having no patient waiting longer than 12 hours. (AQO 4443/11-15)

9. **Mrs Overend** asked the Minister of Health, Social Services and Public Safety how the average percentage of patients being seen within four hours at accident and emergency departments compares with England. (AQO 4451/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Deputy Speaker, I will take questions 1 and 9 together, as they are both about emergency department waiting times.

The latest performance figures for emergency care are for May 2013 and are provisional at this stage. During May, a total of 299 patients waited for more than 12 hours in 10 hospital emergency departments across the region. The vast majority of patients — 99.2% in 2012-13 — are discharged home or admitted to a ward well within the 12-hour target. During the quarter ending 31 March 2013, in Northern Ireland, 74.1% of patients attending emergency care departments were either treated and discharged home or admitted within four hours, compared with 94.1% in England. Even one person waiting unduly long for treatment is unacceptable to me, and I will continue to press the Health and Social Care Board and trusts to eradicate lengthy waits.

**Mr Kinahan:** I thank the Minister for his answer. I agree that the figures are unacceptable and that even one person waiting is too many. I welcome the new A&E facility in Antrim, but I am deeply concerned about nursing numbers and today's whistle-blowing revelations. Can the Minister confirm that 20 additional nursing posts will actually be created? If so, when will that happen?

**Mr Poots:** People should be aware of the nursing posts because they were advertised in a very public way. The appointment processes have taken place. I think that the hospital intends to readvertise for one senior grade nurse because of the lack of a suitable applicant. As I understand it, the other nursing posts have been filled. New additional nurses are in Antrim Area Hospital. Previously, additional nurses were employed in Antrim hospital on a permanent basis in areas where there was far too great a reliance on locums. In the past year, I believe, some 40 nurses were made permanent. So we are going down the route of having more permanent nurses on site. Permanent nurses deliver a better service than locum nurses because they

are on the same ward day by day and know the issues and their patients better, so it makes good sense.

**Mrs Overend:** I thank the Minister for his responses so far. I was disappointed that he felt it necessary to group the questions rather than giving a substantial answer to each.

Recent figures for waiting times in England have been described as representing a crisis over there, yet they are still significantly better than those in Northern Ireland. Does he accept that, had he been a Minister in England, he would have been hounded out of office by now?

**Mr Poots:** Maybe so — we would have to wait and see. However, if you are going to hound Ministers out of office, perhaps you should consider that, in 2008-09, 2,280 people were left waiting and, by the time the then Minister left office, 7,379 people were waiting for more than 12 hours. So, if you want to talk about Ministers not performing, you had better look a bit closer to home. Thankfully, last year, we had fewer people waiting for more than 12 hours than when your Minister left office.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers, which help to build a bigger picture of our A&Es. Minister, I totally agree with you that permanent staff — nurses and doctors — deliver a better service. Can you give us an update today on the recent incident in the A&E at the Royal, where over 100 patients seen by a locum doctor have been recalled?

**Mr Poots:** The information that I can give you is this: a doctor was employed, as I understand it, at registrar grade — I think that the doctor is a consultant but was employed at registrar grade — and they had no concerns about the background information on the individual and felt that it was safe to employ him. It was later discovered that there was the potential that a couple of cases had not been appropriately diagnosed following the reading of X-rays and so forth. Thereafter, they decided to recall all the patients he had dealt with in similar circumstances. That amounted to just over 90 patients, I believe. All of that is a little sketchy, because I do not have the facts and figures in front of me. However, that is my recollection. I have not had any indications that there have been adverse outcomes as a result of it, but it was recognised to be a problem. I think that the Belfast Trust responded promptly in dealing with the situation. That is a demonstration that we can have some confidence that the system actually works, in that it identified that people had not been treated as well as they should have been in the first instance and a check was then taken on all the patients who were treated.

**Mr Durkan:** Can the Minister tell the House whether he is taking any steps to address the shortage of A&E consultants at Altnagelvin and the difficulties that that creates?

**Mr Poots:** That is a matter directly for the Western Trust. I know that the Western Trust has been talking to the HSCB about the issue. It has indicated that, should there be opportunities for further A&E consultants to become available, the Western Trust would have first claim on them. I support the Western Trust in that, because I know that, in spite of performing very well, Altnagelvin has a fairly low number of consultants compared with many other facilities. Thankfully, however, Altnagelvin hospital performs well, certainly in comparison with many other hospitals across Northern Ireland, and is to be commended and congratulated for that. The trust is

doing the right thing in seeking further consultants for that facility.

**Mr Deputy Speaker:** Members should note that question 6 has been withdrawn and requires a written answer.

### Hydraulic Fracturing: Health Risks

2. **Mr Elliott** asked the Minister of Health, Social Services and Public Safety if the Public Health Agency has any evidence to show that the process of hydraulic fracturing poses no risk to human health. (AQO 4444/11-15)

**Mr Poots:** Public Health England (PHE), formerly the Health Protection Agency, provides specialist advice and support to Departments and agencies across the UK on a wide range of health protection matters. PHE is currently reviewing the potential health impacts of shale gas extraction using the process commonly known as fracking. It is anticipated that that report will be available in the near future. The Public Health Agency will be guided by this advice.

**Mr Elliott:** I thank the Minister for that. Does he know whether that will include any investigations that have been carried out in areas where fracking is ongoing? If so, how detailed will those investigations be?

**Mr Poots:** In its consideration of hydraulic fracturing, my Department has been monitoring developments and has considered reports from other countries, including the report by the Office of the Chief Medical Officer concerning shale gas development in New Brunswick, Canada, where it is taking place already. So, it is a matter that we will take seriously. We will address it appropriately and in a very professional way. People would do well to pay attention to the information that we obtain. That will be the information that has real relevance, not like some of the stuff that you see on internet sites.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. The Minister will be aware that an ongoing review is being carried out by the Environmental Protection Agency (EPA) in the South and the Environment Agency (NIEA) in the North. To date, the draft terms of reference make no reference to public health. Can the Minister confirm whether he would support elements of public health being included as part of that ongoing cross-border work?

**Mr Poots:** The Environmental Protection Agency in the Republic has commissioned a comprehensive study. It is being co-funded by the EPA, the Department of Communications, Energy and Natural Resources and the NIEA. Outputs from that research will assist regulators in fulfilling their statutory role regarding this activity, if indeed it is to progress. It is likely that the research programme will take around two years to complete. The EPA intends to publish interim reports while the report is under way.

**Mr Eastwood:** What discussions has the Minister had with other relevant Ministers on fracking?

**Mr Poots:** I have not had discussions with other Ministers on the issue, because, at this point, all that is being done is exploration. If it comes to the point where other Departments see fit to move ahead, the health impacts and whether or not they exist is something that we will discuss. We will discuss the health impacts on the basis of the professional information that we have sought. That will happen in due course, when necessary. At this point,

an exploration is taking place, and there are no concerns about health consequences from that exploration. When it comes to the matter of hydraulic fracturing, we will have those discussions with the Department of Enterprise, Trade and Investment and the Department of the Environment.

**Ms P Bradley:** Will the Minister provide an update on the shale gas regulators' forum, please?

**Mr Poots:** DETI established the Shale Gas Forum, which first met in October last year. The purpose of the forum is to co-ordinate the activities of the various Departments and regulatory bodies and to ensure a joined-up approach to regulation and monitoring. As public health concerns have been raised, DHSSPS and the Public Health Agency have been invited to attend meetings of the group.

### Northern Health and Social Care Trust: Alcohol-dependent Patients

3. **Mr Campbell** asked the Minister of Health, Social Services and Public Safety what provision is available in the Northern health trust area for alcohol-dependent patients. (AQO 4445/11-15)

**Mr Poots:** There is a range of information and advice, intervention, harm reduction and treatment and support services available in the Northern Health and Social Care Trust (NHSCT) for those who misuse alcohol. The trust's addiction service provides an individually tailored, non-judgemental, confidential and accessible service to adults who are experiencing problems with alcohol or drugs. The service offers a range of approaches that include community-based assessment, treatment, management and support and inpatient hospital treatment, if indicated. A stepped-care approach is used to ensure that clients receive the most appropriate level of care. Residential services are available for individuals who experience significant dependency problems with alcohol and drugs for whom other services have not been sufficient in helping, or for individuals with complex needs.

The NHSCT addiction service works with other health and social care teams to respond to the complex needs of clients. Those include liver specialists, mental health teams and probation and criminal justice teams. The addiction service also works in partnership with a range of partner agencies to provide a comprehensive range of support. These wrap-around services include housing, benefits advice, personal development programmes, family support and educational and vocational services.

**Mr Campbell:** Recently, my colleagues and I met some voluntary and community groups that are working, particularly, with young people who are involved in alcohol dependency activities and drug use. Can the Minister ensure that the professionals in the addiction service will work closely with those community and voluntary working groups, particularly in Coleraine, to assist those who have a difficulty with alcohol and drug use?

**Mr Poots:** It is absolutely essential that we work with local communities. Community and voluntary organisations often bring something to the table that we are not capable of doing in the government sector. Therefore, it is important that we pay attention to them and listen to the messages that come from them. If Members, in general, find that there are issues or problems, they should raise

those matters with the trusts. They should seek a more positive outcome, if they feel that not enough is being done on the collaborative work that needs to take place with the voluntary sector.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. We have seen the reports of the recent deaths attributed to drugs, and we sympathise with the families. What is the involvement of the Public Health Authority on a regional strategy?

**Mr Poots:** The Public Health Agency is heavily involved. We have the New Strategic Direction for Alcohol and Drugs Phase 2, which is a strategic plan with regional and local outcomes to address the harm related to alcohol and drug misuse in Northern Ireland. Approximately £8 million each year is allocated to its implementation, and we have tasked the PHA and the HSCB, as commissioners of alcohol and drugs services, to develop a commissioning framework for alcohol and drugs services across Northern Ireland. The purpose of the framework is to improve the consistency of services provided and to ensure that they are in line with best practice and emerging evidence. The framework was first issued for consultation in March 2013 and is being finalised in the light of responses received. We would appreciate it if any Member wishes to make a response. It is anticipated that that work will be finalised in August 2013.

## 2.15 pm

**Mrs McKeivitt:** I thank the Minister for his replies so far. Has the number of people presenting with alcohol dependency increased or decreased in the past five years? Has the number of programmes in the trusts across the North increased or decreased? Will the Minister compare the two figures?

**Mr Poots:** There has been some more positive news about people drinking. Fewer people are binge drinking. The proportion of men in Northern Ireland who drink over the recommended weekly limit has fallen from 33% in 2002-03 to 27% in 2010-11. The proportion of adult drinkers who binge drink has fallen from 38% in 2005 to 32% in 2008 and 30% in 2011. The proportion of young people aged 11 to 16 who reported getting drunk in 2010 was 23% against a baseline of 33% in 2003. All that is positive, but it is not good enough. We need to go further. That is one reason why we are looking at a minimum price for alcohol because it is vastly cheaper than it was many years ago. Therefore, the opportunity for young people to participate in abusive drinking is very significant. We need to minimise that potential.

## Illegal Drugs: Community Initiatives

4. **Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety for an update on the action he has taken to promote community initiatives to remove illegal drugs from the streets. (AQO 4446/11-15)

**Mr Poots:** Recent potential drug-related incidents, including sudden deaths, reinforce the need for my Department, the Department of Justice and the PSNI to work with our local communities to prevent and address the harm related to alcohol and drug misuse. Phase 2 of the new strategic direction for alcohol and drugs, which was launched in 2012, highlights that need. Through the strategy, a number of services are available across

Northern Ireland, including education and information; prevention and early intervention; community support; harm reduction; and treatment and support.

I recently launched the RAPID — remove all prescription and illegal drugs — drug safe box in Connswater shopping centre. The initiative was developed by community and voluntary groups, Belfast City Council, the policing and community safety partnership, and the health service. Individuals can take any illegal drugs or unused prescription pills and deposit them in the drug safe box. That is a pragmatic and practical response to substance misuse and a way of removing dangerous substances from the community. The substances can also be tested to enable us to provide clear public health messages. Other drug disposal bins are available in other areas across Belfast, including four in north Belfast and Sandy Row.

**Mr D McIlveen:** I thank the Minister for his answers. Will he give us an update on the recent deaths in Belfast and the one in County Londonderry?

**Mr Poots:** Interestingly enough, in my most recent conversations, the connection between all eight deaths does not exist, other than there being eight unexplained deaths. If people are looking for a single bad batch of drugs as the problem, they may be looking in the wrong direction. We need to verify that as time goes on. There may be a series of reasons, with drugs being the potential cause in a number of them. In some instances, it may be bad drugs, and in other instances, it may just be drugs. Over 100 people a year die because of drugs — over two each week. Let us be very clear. In recent weeks, the damage that drugs can do has been highlighted. However, the truth is that drugs do damage to our communities every week. That is why I am very clear that we need to step up to ensure that we wipe out drug dealing on our streets. That involves the community, the police and the courts working hand in hand to ensure that we remove this blight from our community.

**Mr McCarthy:** Given the seriousness of the situation, particularly over this recent while, will the Minister consider the comments he made on the radio this morning about the PSNI? Will he consider withdrawing that statement? Perhaps an apology to the PSNI is in order.

**Mr Poots:** I am glad to say that I have had a conversation with the Chief Constable. He made it absolutely clear that the police will go after anyone who is engaged in drug dealing and that there should be no untouchables. That is what the community wants to hear. Whether we like it or not, there is a perception among many in our community that there are people who are untouchable: those who are known to be trading in drugs and who do not appear to be being arrested for it. Let us get the message out to the community that they need to pass the information to the police. The police expressed a very clear willingness to me at the highest level this morning to pursue such individuals. Let us go forward with that confidence.

**Mr Copeland:** I thank the Minister for his measured and reasoned responses thus far. Does the Minister agree that any person who procures, supplies or administers any illegal drug to any person, which results in their death, should be viewed as morally, if not legally, guilty of manslaughter at the least and murder at the worst?

**Mr Poots:** I indicated my views on drug dealers yesterday and today. I think that they are pernicious people, who

trade in what is potentially poison. They are providing that to people in their communities. We have to go after these despicable people in a lawful way. It is not the task of paramilitary organisations to go after drug dealers, nor is it the task of paramilitary organisations to protect drug dealers; there is an element of that in certain communities. What is important is the community's response to the PSNI in giving them the appropriate information, the PSNI's response in acting on that information to bring people to justice and the courts' response in giving these criminals decent sentences as opposed to treating them with kid gloves. I do not know anybody who disagrees with me on this issue, apart from the drug dealers.

**Mr McDevitt:** I want to press the Minister a little. This morning, the Minister said that he would not be surprised if the police were turning "a blind eye" to the activities of some drug dealers. I ask the Minister directly and explicitly whether he still holds that view this afternoon.

**Mr Poots:** I have certainly had experience over the years of dealing with these issues and of taking people, who have information, to the police so it can be acted on. Over the years, I have had those experiences, and that is a position that I understand because I work in my local community. However, I had my conversation with the Chief Constable, and today it is important that we focus on where the problem lies. It lies with people who think that it is all right to sell drugs illegally for a profit. The best means of taking those people out of the equation is for the community to say, "We do not want those people and we will inform on those people to the PSNI." It will then be for the PSNI to ensure that those issues are followed up and people are brought to court.

The Chief Constable made it very clear to me that there are no untouchables and that the police will go after people if they have information. I think that we have to take his word on that and ensure that that is the case. It is for members of the Policing Board to hold the Chief Constable and others to account, and it is for the Chief Constable and other senior officers to give due regard to the Policing Board when they are held to account.

## Children's Homes

**5. Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety how he is promoting high-quality provision in children's homes. (AQO 4447/11-15)

**Mr Poots:** Residential care operates as a key component of a whole-system approach to the provision of children and family care services. There remains a substantial demand for residential care services in Northern Ireland, and my Department invested £26.8m in children's residential care in 2011-12.

A recent review of children's residential care, undertaken by the Health and Social Care (HSC) Board, has now concluded and a draft report has been produced. The final report, which is due to be published in September/October 2013, will set the general direction of travel for the future provision of children's residential care services in Northern Ireland. My Department is also in the process of developing new standards for children's residential care homes, which will set the minimum standard of service provision that children and young people living in residential care can expect to receive. The standards are subject to public consultation, and it is intended that they

will be published later this year. In addition, all HSC trusts operate a model of therapeutic intervention across all children's residential care facilities.

Finally, the HSC Board and the Youth Justice Agency are working jointly to establish a new forensic adolescent consultation and treatment service that will provide specialist forensic input to assist in addressing the mental health and risk management needs of young people in the residential care, secure care and juvenile justice sectors.

**Miss M McIlveen:** I thank the Minister for his answer. The Minister will be aware that there has been an increase in the number of looked-after children (LAC), going from 2,511 to 2,644 since 2011. Will the Minister comment on that increase and on how it compares with the rest of the United Kingdom?

**Mr Poots:** I thank the Member for her question. I also thank her for her ongoing interest in that particular issue and for the work that she does on it. I actually welcome the rise. People may find that somewhat surprising, but it is a demonstration that more work is being done to identify children who are in potentially neglectful or abusive situations. I want the figures to go down, but I suspect that they will have to go up before they go down, because we are doing that work.

Abuse and neglect remain the main reasons for children living apart from their families. In addition, more adolescents are becoming looked after due to family breakdown. There was also an increase of 102 young people aged 16-plus in the care system in the 2011-12 figures. That is due in part to the ageing of young people in the looked-after system. It also reflects the changes in how health and social care trusts actually respond both to young people in that age range who require intervention and to judicial expectations.

Other factors relate to changes in society. The economic downturn cannot be discounted, because it adds further pressures on families that are on the edge of the care system. There is an ongoing dilemma for the health and social care trusts as they seek to engage kinship carers as support to families but believe that, in the light of various legal judgements, the correct response is to confer looked-after children status on children. Trends in numbers of LAC can ebb and flow, with numbers recently ranging from 2,400 to the current figure of 2,644. I am confident that my social work teams are more effective than ever in identifying children who are in danger of neglect and abuse. That is something that we need to continue with to remove children from situations where harm may come to them.

**Mr McCallister:** Does the Minister not accept that the best outcome for children would be to speed up the adoption process? I know that a Bill is being framed, but the delays in that are significant, given that he has been Minister now for two years and there has been no progress. When are we going to see a much faster system of adoption to help protect children from having to go into residential care?

**Mr Poots:** I am very keen to move that legislation forward, but, of course, I need Executive approval to do so. That is a piece of legislation that I would welcome, and I think that speeding up the adoption process would be positive. I should also say that we recently held a meeting, which I convened. Minister Ford was in attendance, as were all the relevant people from the Department of Justice,

including Lord Justice Maguire, as well as all the relevant people from health and social care. One of the concerns that was expressed at that meeting was that, whenever a social worker raises an issue about a child, it can take up to 11 months for that to go through the court system. Eleven months may seem a relatively short space of time for people of our age, but it may be half of a child's lifetime. That is not good enough for providing the care and security for that child that is at potential risk of neglect and abuse. It is not an issue that the Department of Justice and the Department of Health are beating each other up about. It is an issue that we need to work on and to co-operate on. I think that we had a very positive round-table meeting on that day and that more positive things will be derived from that. We will continue to work on it.

2.30 pm

## Justice

### Rowan Sexual Assault Referral Centre

1. **Ms Brown** asked the Minister of Justice for an update on the appointment of independent sexual violence advisers to the sexual assault referral centre. (AQO 4457/11-15)

**Mr Ford (The Minister of Justice):** The establishment of the Rowan, Northern Ireland's regional sexual assault referral centre (SARC), is a significant step forward in supporting all victims of sexual violence and abuse. It will provide victims of rape and serious sexual assault with a safe, secure and confidential environment. It is a key initiative to tackle sexual violence and abuse and is an excellent example of partnership-working between all the relevant Departments and agencies. Sexual violence is a serious problem in Northern Ireland, and it affects people from all cultural, social and ethnic backgrounds and across all age groups.

Independent sexual violence advisers (ISVAs) are intended to be specialist support workers who assist and help victims of sexual assault and abuse in the weeks and months after an assault. They will be accessed through the SARC. To secure funding for the ISVA service, my Department is required to produce a robust business case, which will depend on operational data collected over some months.

Work has been ongoing between my officials and key stakeholders to define and develop the roles of the ISVA and any links to the independent domestic violence advisers, given the link between domestic and sexual violence. Those roles will evolve as the Rowan becomes fully operational.

It is therefore not possible at this stage to provide a definitive time frame for the appointment of ISVAs. That will be dependent on producing a business case and on securing funding. In the interim, the Rowan will refer victims, with their consent, to the appropriate support services.

**Ms Brown:** I thank the Minister for his answer, although I am somewhat disappointed by it. I am sure that he will agree that the role of ISVAs in the SARC is crucial and that many other SARCs have seen the benefits of having such advisers. Hopefully, ISVAs will become a reality in the SARC so that they can help victims of sexual abuse

and rape to cope with their circumstances and also help to secure convictions. Will the Minister support those comments?

**Mr Ford:** I thank Ms Brown for her comments. When it comes to ensuring best evidence, the important work is that which is done in the SARC rather than the ongoing work of the ISVAs. As I pointed out, there is also the issue of referral, which affects those agencies already in operation.

The Member highlighted the issue of ISVAs operating in some other SARCs. I am certainly aware of some across the water that have taken many years to get ISVAs approved. I hope that we will examine the business case significantly faster than that.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister give an assurance that no victim will suffer as a result of there being no advisers in place?

**Mr Ford:** I can certainly give Mr Lynch an assurance that the opening of the Rowan is a very positive and significant step forward in meeting the needs of victims of sexual violence. It will assist in the medical care and counselling of victims and in providing criminal evidence on their behalf. Obviously, we will have to examine the issue of the business case to see exactly how the SARC will develop in the future.

**Mr Kinahan:** I thank the Minister for his answers. I find it strange that the Rowan was opened without the business case having been done. Why was it not worked on beforehand?

**Mr Ford:** I am afraid that the answer is very simple. The business case requires operational data, which cannot come through until the centre is in operation.

**Mr Deputy Speaker:** I should have told Members that questions 2 and 11 have been withdrawn.

### Community Safety College

3. **Mr Boylan** asked the Minister of Justice for an update on the Desertcreat college capital project. (AQO 4459/11-15)

**Mr Ford:** I informed the Assembly on 21 May that the construction tender cost was some £30 million higher than budget and that the project board had established a working group that sought measures to deliver cost reductions while not affecting the overall operational functionality of the college. A business case addendum with options based on that work was presented to the Department of Health, Social Services and Public Safety (DHSSPS) and my Department for consideration. Several issues were identified with the addendum, and the project board revised the document and resubmitted it accordingly. Various cost-saving measures have been identified that do not significantly reduce the functionality of the college. This business case addendum is being considered by the two Departments.

Although it is not yet possible to give a new final cost for the build, I can report that substantial progress has been made in reducing the cost overrun; but it remains likely that the final cost will exceed the original budget. Should this addendum demonstrate that an integrated college at Desertcreat represents value for money and is affordable,



it will be submitted to the Department of Finance and Personnel (DFP) for approval.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Does he agree that a breakdown in relationship should not become a ready made excuse for a blockage to progress reform, given that questions 3 and 10 were supposed to be grouped?

**Mr Ford:** I agree with Mr Boylan that there should be no breakdown in the progress that is necessary to make the college project go forward. That is why intensive work has been done by the two Departments. That work is continuing to ensure that we get the best possible value for money and the best possible training facility for the three services.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí. I thank the Minister for his answers. In light of recent revelations and the need to protect the public interest by delivering a good project and protect the public purse and payment to contractors, will the Minister outline the due diligence that has been exercised during the procurement process? Could some sort of added protection be given through the introduction of project management accounts for the scheme?

**Mr Ford:** Although I take Mr McGlone's point, I cannot go into detail because much of what he is asking for is the concern of the project board. My concern is to ensure that we get the best possible value for money and that we have a viable working project that operates for the benefit of, as far as possible, local businesses, in providing for the construction, and the ongoing needs of the services.

**Mrs Overend:** I thank the Minister for his responses. Is he concerned that the level of reduction and scaling back in the proposed works at Desertcreat will result in a project with facilities much reduced from those originally proposed?

**Mr Ford:** I assure Mrs Overend that that is not the case. The cutbacks have been done in such a way as to not damage the functionality of the college. I have previously highlighted some areas where cutbacks have been possible, and we are fine tuning the revised addendum to the business case, which will ensure that we get something that is value for money. The detailed work is being pursued by officials in the two Departments.

**Mr Givan:** Is the Minister still confident that he will be cutting the first sod in October this year, as previously indicated? Is he also aware of any investigation into any aspect of the design, procurement or development of the scheme that relates to financial matters of a potentially criminal nature, which has been requested?

**Mr Ford:** No, I am not aware of an investigation of criminal matters relating to financial management, though Members are well aware of the problems that arose around the consultancy regarding costs. As to whether I am confident that I will be cutting the first sod in October, we hope that the contract will be on site in the autumn of this year. Whether the project board invites me or the Minister of Health, Social Services and Public Safety is, of course, up to its members.

## Youth Integration

4. **Mrs McKeivitt** asked the Minister of Justice what strategies his Department has to improve youth integration. (AQO 4460/11-15)

**Mr Ford:** I am committed to working with my Executive colleagues to build a society that young people feel they can belong to and, in turn, can make a positive contribution to. My officials are engaging with their counterparts across Departments to continue to develop those links. For example, the Youth Justice Agency is providing practical support for a wide range of youth and community based organisations across Northern Ireland, particularly in interface areas, to deliver a range of initiatives, with the specific aim of diverting young people away from offending. Those interventions include adventure learning and sporting activities, residential courses, family support and educational activities.

The Probation Board also works directly with youth and community groups and has developed links to facilitate unpaid community service by young people for the benefit of their local communities. The Probation Board also funds activities, including those that aid youth integration and diversion and desistance from offending.

The Department also contributes to summer interventions through its Priority Youth Interventions initiative, which is specifically targets engaging with those young people who are most at risk of becoming involved in interface violence or are most at risk when community tensions are heightened. That initiative has made funding of £100,000 available this year, through policing and community safety partnerships (PCSPs).

**Mrs McKeivitt:** I thank the Minister for his reply. Programmes that promote youth integration to reduce the number of young people who get involved in sectarian violence are very important. Does the Minister have a timescale for rolling out the programmes that his Department is offering to communities? Will the neighbourhood policing teams across our region be delivering those programmes?

**Mr Ford:** I thank Mrs McKeivitt for those positive words about the work that is being done. It is clearly a very significant issue at this time of the year. We need to do all that we can to divert young people from getting involved in violence, given the potential consequences in the form of damage to their future lives. I cannot give a direct indication of the roll-out of funding since, as I said, most of these projects are delivered by either PCSPs or arm's-length bodies, such as the Youth Justice Agency or the Probation Board. However, if there are specific issues that she wishes me to investigate, I will happily do so.

## Prison Service: Temporary Promotions

5. **Mr McKay** asked the Minister of Justice how many positions in the Prison Service are currently filled by people who are temporarily promoted. (AQO 4461/11-15)

**Mr Ford:** The Prison Service currently has 104 individuals on temporary promotion. Of those, 78 are at Prison Service operational grades and 26 are at general service grades.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister give the House an assurance that the impact of those 104 temporary promotions will not be the prevention of full implementation of the reform package?

**Mr Ford:** I can happily give Mr McKay that assurance, because, in fact, a number of the temporary promotions

are related to the reform package. For example, of the 21 Prison Service staff currently promoted to principal officer grade, 16 are on short-term training posts related to the intake of new officers and the need to provide additional staffing to the college. Others are related to temporary work as we work to implement the target operating model that will deal with the overall management and staffing of the prison. As we look to the months later in this year and seek to put formal promotions in place, we will see a significant reduction in the number of temporary promotions. A number of those posts will come to an end completely. It was a necessary stage to go through to put new staffing structures in place, and it is an essential part of the prison reform programme.

**Mr Elliott:** Does the Minister accept that there is huge disappointment among many locally recruited Prison Service staff that they have been overlooked for promotion? What action is he taking to address that?

**Mr Ford:** I do not quite take Mr Elliott's point on the basis that temporary promotions are offered to existing staff under the normal Civil Service procedures for making temporary promotions. Therefore, existing staff were eligible for those posts. Existing staff will also be eligible to apply when we move to make those posts substantive. So, I do not see how existing staff are negatively affected in any way.

**Mr A Maginness:** One hundred and four temporary promotions seems a significant number. It also seems that that is contributing to a degree of uncertainty among current staff about their future. Would the Minister not prefer these matters to be resolved by way of permanent appointments as soon as possible?

**Mr Ford:** Yes; I agree with Mr Maginness. I wish the posts to be resolved as soon as possible. My understanding is that in excess of 70 of the posts are likely to be resolved in the autumn.

**Lord Morrow:** My question is not dissimilar to Mr Maginness's, but I would like the Minister to elaborate a wee bit. There are 104 members of staff in temporary positions. Does the Minister not accept that that brings a considerable degree of instability to the whole prison regime? The confidence of the whole Prison Service is affected. I have received much representation on the issue, as I am sure many other MLAs have.

**Mr Ford:** I do not believe that it brings instability. The reality is that we are going through a significant programme of reform. As Members will know, we had a voluntary early retirement scheme that had over 500 applications. We hope to be able to allow all of those 500 people to go, subject to finance, in the relatively short period of the reform programme.

That is all resulting in significant change. Implementation of the target operating model is producing differences in the way in which work is to be done in different units in the three prisons, which is why there have been a number of temporary promotions as well as the training posts that I referred to earlier. The fact that we are seeking to rationalise that and deal with the great majority of them in this calendar year shows that we are managing to make the changes effectively and speedily.

2.45 pm

## Bangor Courthouse

6. **Mr Agnew** asked the Minister of Justice whether he will delay placing Bangor courthouse on the open property market to enable him to explore the potential for it to become a community asset transfer project. (AQO 4462/11-15)

**Mr Ford:** The Northern Ireland Courts and Tribunals Service is working with Land and Property Services to secure an alternative use for Bangor hearing centre. A marketing strategy is being developed in line with government guidelines on the disposal of surplus public sector property. The community asset transfer policy is currently subject to consultation. Implementation is unlikely to be effected before the autumn. The time required to progress both processes should allow any interested party to register interest in the property. I am aware that the Member has visited the hearing centre, and I have written to him to offer a meeting with my officials.

**Mr Agnew:** I thank the Minister for his answer and for agreeing to a meeting with officials from his Department. When looking at community asset transfer, the Minister will, of course, ensure that his Department gets good for value for money from any future use of the site, but does he agree that we need to look at public value and value to the community, not just pounds and pence?

**Mr Ford:** I remind Mr Agnew that, whatever his enthusiasm may be as a Member for North Down, I am required to go by the guidance that Land and Property Services gives on the valuation of the building. It is therefore not a matter of the Department of Justice seeking to be generous and provide community benefit on its own. I suggest that he probably needs to continue the work being done with North Down Borough Council and others to see whether we can find an alternative use.

**Mr Dunne:** Given the substandard court provision in Newtownards, has the Justice Minister any plans for a new, purpose-built facility for the north Down and Ards area?

**Mr Ford:** It is difficult to answer a question that starts with an utterly unacceptable premise. The accommodation in Newtownards is not substandard.

**Mr Cree:** Have any informal discussions been held with the local council on the issue, bearing in mind the imminence of RPA?

**Mr Ford:** I can confirm to Mr Cree that discussions have been held between my officials and officers of North Down Borough Council. I know that there is potential interest in developing arts and community use of the courthouse, but these are early, relatively informal discussions.

## Prisoners

7. **Mr McMullan** asked the Minister of Justice how many hours per day are prisoners locked up. (AQO 4463/11-15)

**Mr Ford:** The Northern Ireland Prison Service has been aware of criticism that prisoners are being locked in their cell for too long. It is recognised that a worthwhile and productive regime is to the benefit of prisoners' resettlement and general well-being. The implementation of the new target operating model has had a positive impact, and further improvements will be delivered when

NIPS has the correct number of staff. Governors report that the number of regime restrictions so far this summer is well down on the same period last year. However, regime restrictions increase in the context of high levels of staff sickness absence and in the context of staff deciding not to work overtime. Steps have been taken to ensure that resources are targeted to provide for a core day between 8.00 am and 7.45 pm, and they are showing improvements in the time out of cell. The length of time a prisoner is locked in their cell can vary for a number of reasons, including whether he or she is engaged in employment or education. Two hundred and eighty prisoners assessed as low risk, which is over 15% of the prison population, are not locked in at all. During the night, they are secured on their landing but can freely associate with others. That regime is available in certain locations in all three establishments.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. The prison review oversight group expressed concerns about long periods of isolation affecting prisoners' physical and mental health. How will the new target operating model address that problem?

**Mr Ford:** I appreciate Mr McMullan's point, but he highlights what came from the prison review team, and significant progress has been made since. In particular, a lot of work is being done on the team's recommendation to make Hydebank Wood a secure college. Work is being done using the Foyleview unit at Magilligan to enhance the opportunities that prisoners have to engage in constructive activity. We are looking at reopening the prisoner assessment unit (PAU) at Crumlin Road for prisoners leaving Magilligan, so a lot of significant work is going on. As I highlighted, we have recently managed to increase out-of-cell time significantly.

**Mrs D Kelly:** The Minister has not given us any definitive timetable for improvements other than to say that work is ongoing. I am interested to know whether there is any correlation between the high number of self-harm incidents in prisons and those prisoners who have experienced excessive lock-down time.

**Mr Ford:** Mrs Kelly certainly makes a very significant point. I cannot give a specific mathematical correlation between them, but we are all aware that those prisoners who are most vulnerable suffer particularly if there are excessive times of in-cell only. That is why so much work is being done and why we have also the Donard centre in Maghaberry to deal with those who are most vulnerable. Work is ongoing, but I entirely acknowledge her point that a lot more is still to be done.

**Mr Dickson:** Minister, I welcome the comments that you made on the provision of a core day for prisoners. Will you outline further the activities that are planned for purposeful activity, and the benefits of that for prisoners?

**Mr Ford:** I thank Mr Dickson for pointing out that it is a matter not simply of having cells open during the core day but of the opportunity to provide purposeful activity. Significant work is being done on learning and skills, particularly in Hydebank Wood, to give people more opportunity to engage in the kind of activity that will benefit them when they leave. For example, we are hoping that we will have an external provider taking responsibility for outsourced learning and skills services in Hydebank at

the start of the next academic year in the autumn of 2014. Similar work is being done using the learning and skills centre that was opened relatively recently at Maghaberry, and significant work is being done at Magilligan to give people the opportunity to engage in work as they move to the Foyleview unit towards the end of their sentence. Those are all examples of work being done, but there is absolutely no doubt that a lot more needs to be done, which is where some of the early discussions that have been held with business organisations interested in providing training in prison and employment opportunities outside will be particularly beneficial, if they come through. All of them are currently at an early stage.

**Mr Beggs:** Will the Minister outline what actions he is taking to ensure that destructive activity does not occur during excessive periods of time when prisoners are locked up and that, in particular, availability of drugs, which ultimately leads to destructive activity outside prisons, is targeted?

**Mr Ford:** Again, Mr Beggs has highlighted one of the problems that exist across this whole society, and prisons are not immune from it. A significant programme has been developed looking at the issue of targeted searching to deal with drugs and, indeed, with other contraband. That, rather than merely searching by routine, has produced some benefits in recent months. The intelligence-led approach appears to be having some benefits, but it is clear that action needs to be taken continually, both on prisoners who go out on leave or to court and, indeed, on prison visits, where there are considerable attempts to smuggle drugs in. A very robust effort is required by the Prison Service to defeat that.

## Criminal Justice: Security of Employees

8. **Mr Campbell** asked the Minister of Justice what discussions he has had with the Chief Constable regarding the level of threat to people working in justice-related positions from dissident republican terrorist organisations. (AQO 4464/11-15)

**Mr Ford:** I have regular meetings with the Chief Constable on a range of issues concerning security. That includes the level of threat from all terrorist organisations to different groups. In addition, my Department regularly keeps under review the level of threat to individuals holding justice-related positions to ensure that personal security measures can be provided and advice issued, as required, to those individuals within my ministerial remit.

**Mr Campbell:** Will the Justice Minister ensure that keeping it regularly under review will include, for example, personnel who have applied to get personal protection weapons because of their work in the justice domain in various parts of Northern Ireland that are under threat, particularly from dissident republicans? Will those personal protection weapons be given sympathetic consideration?

**Mr Ford:** I am afraid that the Member will have to take that question to another place and ask it of the Minister of State in the Northern Ireland Office, who has that responsibility.

**Ms McCorley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí. Is the Minister satisfied that all necessary steps are being taken to ensure that people's safety is not compromised?

**Mr Ford:** I certainly think that the steps that can be taken by my Department are being taken. Clearly, however, there are issues, as I have just highlighted to Mr Campbell, that fall to the Northern Ireland Office, not to the Department of Justice. Most of those are the type of issues that have been highlighted by the two Members. Where a matter specifically falls to our employees — for example, home protection for prison officers — action has been taken in recent months to address that as best we can.

## Women's Prison

9. **Mr McElduff** asked the Minister of Justice for an assurance that the new prison for women will not be delayed in the event of any budget reallocation. (AQO 4465/11-15)

**Mr Ford:** As I informed the Assembly on 19 March, my intention is to develop a new separate facility for women offenders, combining provision for women who require secure custody and facilities for women for whom a community-based approach is more appropriate. NIPS officials are progressing a business case that will be subject to DFP scrutiny. However, the current planning assumption is that the development of a new women's facility will fall into the next Budget period. Therefore, funding will be determined as part of the Executive's next Budget process.

I am pleased to advise that Prison Service officials are investigating the potential to convert Alderwood House on the Hydebank Wood site into a step-down facility for women prisoners who are nearing the end of their sentence. Alderwood House is currently occupied by the Probation Board, which is sourcing alternative accommodation. Should everything go according to plan, the facility could be in use some time around spring 2014.

**Mr McElduff:** Go raibh maith agat. What measures are being taken in the interim to ensure that the particular needs of female prisoners are being met?

**Mr Ford:** There is certainly a specific regime that is as appropriate as can be for women prisoners in Ash House at Hydebank Wood. The Prison Service recognises the difficulties of managing women on that site. If Mr McElduff has other issues or particular points to make, I will happily address them, but I certainly believe that, given the constraints on the existing site, very significant changes are being made to meet the needs of women. We are doing our best to manage circumstances under those difficulties.

**Ms Lo:** Last week, the Minister announced a review of security classifications for women prisoners. Will such flexibility in how women prisoners are categorised be extended to the new facilities that are being developed?

**Mr Ford:** I thank my colleague for reminding me of the answer that I should have given to Mr McElduff a few moments ago. Yes; part of the issue is that because the security classification is developed for the great majority of our prisoners, namely adult men, it has been applied to young offenders and women without necessarily considering their particular circumstances. The review will enable us to look at what the real needs are, because I think that there is a general assumption that a significant number of women who are in Ash House would have a very low security classification and do not require the

sort of facilities there. The step towards using Alderwood House is one way in which we can develop things to get the right classification and the right level of support for vulnerable women who are in our custody.

**Mr Deputy Speaker:** Mr Alex Maskey is not in his place to ask question 10. I call Ms Bronwyn McGahan.

## DOJ: G8 Summit

12. **Ms McGahan** asked the Minister of Justice for a breakdown of the costs of the G8 summit in relation to his Department's budget. (AQO 4468/11-15)

**Mr Ford:** The Government are responsible for compiling the total cost of hosting the G8 summit. As I understand it, the total policing and security cost is in the region of £70 million to £80 million. Members will be aware that the Minister of Finance and Personnel announced funding of £14.5 million in the June monitoring round to meet the total cost to the PSNI.

**Ms McGahan:** Go raibh maith agat. I thank the Minister for his answer. Given that some of the expense was incurred through the purchase of drones by the PSNI for use during the G8 summit, will the Minister indicate to the Assembly under what legal authority and licensing agreement the PSNI trained for and used that new equipment?

## 3.00 pm

**Mr Ford:** The only answer that I can give to that question is that it is an operational issue and should be referred to the Chief Constable.

**Mr Deputy Speaker:** Time is up.

**Mrs D Kelly:** On a point of order, Mr Deputy Speaker. Given that this is the last Question Time before recess, will the Speaker investigate the number of questions, questions for written answer in particular, that remain unanswered by Ministers during this Assembly term? I tabled a question to the Minister of Culture, Arts and Leisure on 15 May. The Minister had 10 days to make a response, and as yet I have received none. That is most unsatisfactory.

**Mr Deputy Speaker:** The Member's comments are noted.

## Committee Business

### Assembly and Executive Review Committee: 'Review of d'Hondt, Community Designation and Provisions for Opposition'

*Debate resumed on motion:*

*That this Assembly notes the report of the Assembly and Executive Review Committee on its 'Review of d'Hondt, Community Designation and Provisions for Opposition'.—[Mr Moutray (The Chairperson of the Assembly and Executive Review Committee).]*

**Mr Dickson:** It has been frustrating to be involved in the drafting of this report. It was hard to find consensus, and, consequently, there is little in it that makes progress on the issues that we were looking at. However, it would be remiss of me not to place on record my thanks to the staff, the Chair and the Deputy Chair, who led us through those issues, and, in particular, the people who contributed to the report.

It is clear that some parties were not engaged with the review and gave incomplete answers to questions about how they envisaged the system should work in the future. That made it difficult to develop a coherent set of proposals for the Assembly to debate. In many cases, we were unable to reach consensus because some parties were not willing to make their positions clear or to engage in compromise.

As Members are aware, the report looked at d'Hondt, opposition and community designation. Lack of consensus on the establishment of a formal opposition was based partly on the idea that parties are free to opt out of their entitlement to Executive positions. There is a need to progress and move towards more normal politics in Northern Ireland. That means that we must eventually move towards voluntary coalition, negotiated between parties on the basis of a common Programme for Government. I believe that any incoming Executive should develop a Programme for Government between them and before they are subject to a cross-community vote in the Assembly. That would lead to a coherent Executive programme rather than to 12 different Executive programmes. It would also lead to better government. At the very least, the incoming Executive could be required to present a heads of agreement document. Until we can agree on a move to government and opposition politics, that would at least provide for a more effective Executive.

Unfortunately, the Committee was also unable to agree on a replacement for community designation, a point that Mr Beggs made well earlier in the debate. The Alliance Party feels that there are four particular problems with the current system: the institutionalisation of sectarian division; the inequality of votes between elected MLAs; the inability to adjust to changing demographic and political circumstances; and the ability of political majorities to hold the process to ransom. The introduction of a system of weighted-majority voting would ensure cross-community support while avoiding some of those difficulties.

The Committee was again unable to reach agreement on recommending moves away from using d'Hondt to appoint Committee Chairs. I have long felt that a form of election by STV would be a better system for the appointment of Chairs.

The Committee agreed that further work on the role of petitions of concern needs to be undertaken. The events last week, when the DUP abused the petition of concern process to block environmental protections and community empowerment in the planning process, demonstrate the clear need for petitions of concern to be reviewed. Whatever anyone's position on those amendments — the Assembly made its position clear — it cannot be argued that this is a cross-community matter. This has led to a situation in which petitions of concern are now used simply to hold up issues that are opposed by the DUP and others. Eventually, normal politics must resume in Northern Ireland, with government, opposition and voluntary coalition. The current system does not allow for that, and the report, regrettably, does not move us much further forward.

**Mr Campbell:** I welcome the report and the discussions that were ongoing throughout the period. A number of Members alluded to the degree of consensus that emerged on a range of issues. Earlier in the debate today and in the debate yesterday on North/South issues, Mr McDevitt and one or two others kept referring to the Belfast Agreement and its place in providing the mechanism that made us arrive at where we are today. I can recall that, many decades ago, more than I care to remember — I think that there are only four Members in the House now who came in in 1982: Mr Allister for North Antrim; myself; Mr Robinson, the First Minister; and Mr Wells — we were all trying to arrive at a system of government that could encompass some form of responsibility across the divide where some sort of stability would emerge. Unfortunately, for a variety of reasons, that did not work out, and we are where we are now. I just wish that people would not keep referring back to one agreement that has long since past its sell-by date and keep referring to it as if it was as fresh and fragrant as the morning dew. However, be that as it may, that is what they want to do.

Consensus was reached in a number of areas, and yet there are other areas where consensus was not reached. I am sure people will ask why the Committee did not reach a greater degree of consensus than it did. Although there are a number of reasons why that is the case, there is one overriding reason: the differences of outlook and opinion among political parties are considerable. My party believes in trying to build this structure and have it more deeply embedded in the United Kingdom, and another large party wants to try to detach us from the United Kingdom. As that party — Sinn Féin — distances itself slightly, hesitantly and with some difficulty from its terrorist, murderous past, progress can be made. As long as it keeps doing that, we will keep making progress. Some people might try to decry the progress, but if there is progress, we will acknowledge it and keep making progress. That is part of the reason why we cannot reach a wider consensus, but we will keep working at it. No matter how slow the learners are, we will keep working at it, regardless of how long it takes. That is what politics is about, and that is what we have to try to do. We have to try to achieve agreement and consensus to try to change the current position.

I think that most people would accept and concede that we need an opposition, and I want to confine my concluding remarks to that. We need to have an effective opposition in place because the last thing that people want to see is some sort of bureaucratic system here in Stormont where most of the parties comprise 90% of the elected

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representatives and make up an Executive where there is no challenge and no opposition, apart from the odd question for written answer about the cost of mint imperials in the Chamber. Apart from that, there is no effective challenging opposition to exercise the minds of those who are in government to try to ensure that they continue to make progress.

There was an issue about how effective the d'Hondt system was. Mr McDevitt alluded to the fact that it was widely agreed that it was the best method, although I do not think that that was the case. In the absence of another system on which we can get consensus, we are left with d'Hondt. However, that is not quite the same as saying that it is the agreed method for all of us. There is more progress to be made, and, hopefully, when we reconvene in the autumn, we can pick up where we have left off today.

**Mr Hamilton:** It seems that the end-of-term feeling about this place has well and truly kicked in. I suspect that other Members are in their rooms wearing their own clothes and playing board games as though it were the end of a school term. *[Laughter.]* There seems to be a few more people here than when this debate started before Question Time. At one point before Question Time, there were not sufficient Members in the Chamber to form an Executive, never mind an opposition.

I welcome the debate and the opportunity to contribute to it. Reports of the Assembly and Executive Review Committee that come to the Chamber rarely have total agreement, or even partial agreement, such is the nature of the Committee. In my shared time on it, I have often referred to it as the Campbell doctrine. Decisions are not taken in the Committee; it is the Committee's role to scope out options, possibilities and areas of some consensus. I think that if people were to take an objective read of the report that is being submitted today, they would see that there are some areas — precious few, perhaps — where there is some consensus between all parties or the majority of parties about how we can move forward on those three important and interlinked issues.

To elaborate a little bit more on what Mr Campbell said, where my party's position is concerned, we take a view on these issues that has been consistent from the start. The issues are d'Hondt, opposition and community designation, which are what Mark Durkan referred to in a speech in Oxford a number of years ago as the "ugly scaffolding" of the Belfast Agreement. It is an ugly scaffolding that I think, and as most people would agree, needs to be dismantled.

As a party, we believe that it would be a sign of a more normal democracy if we were to have a properly functioning opposition as well as a government in this place. We believe that an opposition function should be facilitated in the House. We believe that a voluntary form of government would be far better than that which is enforced on us using the d'Hondt system. We believe that you cannot move forward to the sort of society, politics and democracy that we want if the very seeds of our division, through sectarianism, are enshrined by the fact that on day one, when somebody is elected into this Chamber, they have to designate themselves as unionist, nationalist or other.

I want to dwell, as Mr Campbell did, on opposition, which I suspect will probably be what most Members will want

to talk about during this debate. One area of consensus in the report is that there is an agreement among the majority of parties that sit in the Assembly and Executive Review Committee that there should be formal recognition for those parties that are entitled to be in government but that opt out of it. That concerns additional speaking rights, speaking time and time for business in the House. I think that party leaders can build on that agreement in their discussions on how we move forward on this issue.

One of the interesting things that we discovered as a Committee while we were investigating and conducting our review was that smaller, self-styled opposition parties in this House are well catered for and better catered for financially than other small parties and one-Member outfits in other Parliaments, including the Scottish Parliament. So the evil regime that resides in this place has been much more benign for smaller parties than perhaps some of them would think.

I also want to make the point that although I think that having an opposition in this place would be a good, positive thing and would be a sign of progress, it is not the answer to the problems that we have. To have an opposition that would make a difference, it would have to be an effective opposition. It would have to be an opposition that had a coherence and some policies to offer people as an alternative government. I do not accept for a second that the system of government that we have is as effective as it should be, but merely having an opposition is not in itself the answer to the problems that we have. It is the ugly scaffolding that causes the blockages, the delays, the inefficiency and the ability not to respond to things as quickly as we would want to. That is what needs to be dismantled first. The creation of an opposition will not necessarily lead to the problems that we have been answered. We will have some people who will —

3.15 pm

**Mr Deputy Speaker:** The Member's time is almost up.

**Mr Hamilton:** I am sure that the contributions of some of the smaller parties will be about their dissatisfaction at what is being put forward by the report and at the lack of movement, but as we listen to what they say —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Hamilton:** — Members need to remember to ask how they would achieve the objectives that they set out.

**Mr McCallister:** It was very good of Mr Hamilton to predict what I am going to say. Our new Finance Minister is a mind reader already.

It is fair to say that the report is a missed opportunity. Very little of it moves the debate on in any significant or meaningful way. All the areas that need to be looked at, which all contributors seem to be saying we should be looking at and talking about, appear to be pushed down the track. Members are saying, "Yes, we will look at them, and we will talk about them, and we will talk a bit more." Mr Campbell suggested that we will pick it up again in the autumn and talk a bit more, but there has been no real agreement on where the long-term strategy should go on this.

I take the point about the big issue of designation. I agree with Mr Hamilton's point that it is not a helpful situation at the minute that we designate as unionist, nationalist or

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other. In fact, Mr Dickson's point is that his designation does not count for anything: in a cross-community vote, his vote does not matter. He is simply keeping up his voting record. To all intents and purposes, that is all that it achieves for him.

There were other issues raised about the very fabric of an opposition. Mr Hamilton made a point about needing an opposition, but he said that it needs to have policies and to look and feel like an alternative. I accept that, but, at that point, you have to acknowledge that to do all those things, you will have to resource some of it. You will have to give an opposition speaking rights. You will have to make sure that it is in a fit state to challenge not only the governing parties but the entire machinery and apparatus of government that it will be up against. That is how you will get proper scrutiny of and provide a proper, credible alternative to the Government. Those are the two key things that an opposition must, and can, do.

**Mr Beggs:** Does the Member accept that there was a fair degree of consensus in Committee on starting to move towards some form of opposition, except by Sinn Féin, which is quoted as saying that it does:

*"not see a need for any sort of formal opposition, or an informal one for that matter."*

Given that it seems to favour some form of North Korean junta, how do you propose that we move forward?

**Mr Deputy Speaker:** The Member has an additional minute.

**Mr McCallister:** Thank you, Mr Deputy Speaker. Yes, it is no great shock that Sinn Féin has traditionally had more of a North Korean, politburo, let-everyone-agree-with-the-Sinn-Féin-line-and-applaud-loudly style. That is the main Sinn Féin mantra. What we as other political parties have to do is keep on making the argument that although, yes, it got us from where we were in 1998 and has made progress to now, the system has outlived its usefulness. It is now time that the Assembly evolved, came of age and moved to normalise our politics, because the entrenched division that we have of unionist, nationalist and other is filtering down to our communities and is reflected in everything that we do.

Look at how we can trigger petitions of concern. To what do we get petitions of concern? We get them to the Caravans Bill, the Planning Bill and just about everything that we can imagine, because one party has the required number of seats to trigger them. It does not matter how often it abuses that process, for it can still do it. We get petitions of concern on numerous things, and, of course, that triggers the situation in which Mr Dickson's vote does not count. Is that a useful way to do business? I suggest that it is not. Does it sectarianise politics? Absolutely. At present, going by this report, we will keep doing that and heading that way.

Look at the all-inclusive Executive that Pat Sheehan was shouting about as listening to everybody. Look at what they deliver for us. We have an SDLP Minister who is now stuck with a Planning Bill that he does not really believe in or like. Right? We have an SDLP Minister who is legislating for a form of council that he does not like; which, in fact, the Ulster Unionist Party does not like and some in the DUP, I am led to believe, do not like, but, due to their North Korean-style of party management, they accept, although I am sure that none of them would say that openly.

**Mr McCartney:** Will the Member give way?

**Mr McCallister:** Certainly, if you are quick.

**Mr McCartney:** In true North Korean style, we tried to ensure that the Member would have speaking rights in the Assembly.

**Mr McCallister:** I am delighted that you have tried to let us have speaking rights in the Assembly. I want you keep that campaign going and champion the cause of NI21. *[Interruption.]*

**Mr Deputy Speaker:** Order, please.

**Mr McCallister:** You also —

**Mr Deputy Speaker:** Order, please. The Member's speaking rights have run out. *[Laughter.]*

**Mr Allister:** Here we have another non-report by the Assembly and Executive Review Committee. It goes through the motions of a few platitudes here and there, presented by a Chairman, who dutifully reads out to us what is being presented and tells us all of the work that the Committee has done. However, when, at the end of that, one evaluates the report, one sees that it does not amount to a row of beans because we have been here so many times before.

It is proof positive, yet again, that the House will never self-regulate itself into a functioning, recognisable democratic chamber because the vested interest is such that clutching all power by those who are in power is the overriding consideration. Yes: they can afford to pay a little lip service and say, "Oh yes: we would like to have an opposition", but, in the same breath, just in case anyone would get out of line, they remind us, like Mr Hamilton did, how benign the dictatorship has been to the small parties by throwing them a few pounds to survive. I do not think that that washed with very many people.

In the report, I read talk about a technical group. Last autumn, in the Committee on Procedures, I proposed that we should put in motion measures to allow for a technical group. Who voted that down? It was the ruling cabal of the DUP and Sinn Féin. Frankly, it does not impress me to now find some token talk about a technical group when the very parties that control the House blocked that move, prevented it from already being in place and, now, say that, perhaps, it could be considered.

There is not a word in the report about revising the ludicrous situation in which only Executive parties are allowed to sit on the Business Committee, which determines the business of the House and ensures that no one from these Benches ever gets any business on to the Floor of the House. There is not a word to say that, perhaps, we should just allow the six Members who are outside the Executive parties to have a voice on the Business Committee. Oh no: we could not do that.

It is no surprise, of course, that Sinn Féin is the party that champions the rejection of opposition. We are all too familiar with how the republican movement deals with opposition.

The bullet in the head in terrorism has its parallel in the opposition from Sinn Féin in dealing with the very suggestion of an opposition in the House.

Then, of course, we have some who pretend that they would like to move away from the architecture of the

Belfast Agreement — the great pretenders in the House who pretend either that the Belfast Agreement does not exist or that they are not its prime implementers — when the truth is that they are its primary props, and without their propping role in the Assembly, the structures of the Belfast Agreement would not be in daily operation in the House.

Of course, such is the contempt for the basic tenets of democracy that the cheerleaders and proposers of the fact that we should even disrespect the electorate by, without notice or consultation, moving the Assembly, which was elected for four years, to five years are again the ruling cabal. So, everything about this report speaks to the suppression of democracy. *[Interruption.]* It is a matter of record that the Democratic Unionist Party and Sinn Féin supported the extension of the Assembly to five years to have the election in 2016. That is a matter of record. *[Interruption.]* What do the people matter in the view of those who have such disrespect —

**Mr Deputy Speaker:** The Member's time is up.

**Mr Allister:** — for democracy that they cannot even contemplate opposition —

**Mr Deputy Speaker:** Order, please.

**Mr Allister:** — in the House, —

**Mr Deputy Speaker:** The Member will resume his seat.

**Mr Allister:** — such is their aversion and such is their attachment to the iniquitous Belfast Agreement —

**Mr Deputy Speaker:** His time is up.

**Mr Allister:** — the props of the Belfast Agreement — as stated day and daily.

**Mr Deputy Speaker:** I ask the Member to resume his seat, please.

**Mr Sheehan (The Deputy Chairperson of the Assembly and Executive Review Committee):** Go raibh maith agat, a LeasCheann Comhairle. I thank Members for their contributions to the debate. As the Chairperson outlined, the Committee received and heard evidence from a wide range of academics and other stakeholders, and I echo his thanks to all who contributed to the review.

I also wish to thank those in the Scottish Parliament who shared their experience and extended their hospitality to us; it was genuinely appreciated. People often talk about opposition normalising politics, and I can assure Members that we felt very normal when our Scottish counterparts shared their opinions with us. In some ways, none of them could agree on provisions for non-Executive parties either. Indeed, I recall Members of the Scottish Parliament describing the development of their institutions as an evolutionary process.

I am aware that the report may not have satisfied all Members of the House, but I am content that it reflects the very thorough and constructive examination of these issues by the Committee. As the Chairperson highlighted, the issues raised in this review were indeed very complex.

Furthermore, the Committee was conscious that the structures here are unique, and, as Professor McCrudden highlighted, they represent an "organic whole". Therefore, it is important to take that into account when looking at potential structural and operational changes here. As the Chairperson said, the Committee was also concerned

that the principles of inclusivity and power sharing be safeguarded, as stated in the review's terms of reference.

The Committee reached a number of conclusions, as set out in the report and discussed during today's debate. While some of those conclusions may state that there was no consensus in the Committee on some issues, they reflect the debate that the Committee had on the current operation of our institutions and members' views on change. Such debate is an important and useful part of the democratic process.

Two of the conclusions recommended further work. One related to provisions for technical groups, which the Committee agreed should be reviewed. The Committee will be interested in the outcome of that review. Another recommendation was that the important area of petitions of concern merited further detailed examination.

### 3.30 pm

I do not propose to go through Members' contributions today; they have all been recorded by Hansard. If anyone is interested, I am sure that they can read them. I thank the Committee staff, Research and Information Service staff, Hansard staff and other Assembly staff who assisted the Committee in the review and in the production of the report. I ask the Assembly to note the Committee's report.

Removing my Deputy Chair's hat for a moment, I would like to say that the discussions in Committee were mild-mannered and temperate throughout. It is somewhat disappointing, therefore, to come into the Chamber and see Members showboating when the cameras are operational. We know that some Members, particularly down in the corner, are experts in showboating. However, I will leave that to the side for the minute. We had good discussions but could not always agree. The issues are complex, and the Committee performed its task well.

By the way, this Committee has been very productive. This is the third report that it has produced inside a year. I commend the officials of the Committee for the work that they have done.

**Mr Allister:** Will the Member give way?

**Mr Sheehan:** Sorry?

**Mr Allister:** Will the Member give way?

**Mr Sheehan:** Mr Deputy Speaker, I speak to the Member every time I pass him. I say, "Good morning, Jim", "Hello, Jim" or "How are you, Jim?" He never, ever responds. I thought that it was on a point of principle, but I now see that it is not. However, I am not prepared to give way — no thanks. *[Laughter.]*

**Mr McCartney:** Not until he says, "Good morning".

**Mr Sheehan:** If you say, "Good morning" next time, I will consider it. *[Laughter.]* Maybe the problem is that the Member just does not like me.

In any event, Mr Deputy Speaker, I commend the report to the House and ask the Assembly to note it.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the report of the Assembly and Executive Review Committee on its 'Review of d'Hondt, Community Designation and Provisions for Opposition'.*



*Motion made:*

*That the Assembly do now adjourn.—  
[Mr Deputy Speaker.]*

## Adjournment

### Proposed Closure of Drumcree College, Portadown

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes, the Minister will have 10 minutes to respond, and all other Members who wish to speak will have approximately six minutes.

**Mrs D Kelly:** I am indebted to my party colleagues for allowing me to raise the matter in the Assembly at this time. I am not sure whether the Minister hopes to come, given that it is also a constituency matter. I was hoping to have the last word with the Minister, but we will wait and see. Here he comes now, Mr Deputy Speaker. The Minister may or may not know that my name is Mary Dolores, two names that are very important in the Minister's life. Usually, those women have the last word in his household.

I welcome the decision by the Council for Catholic Maintained Schools (CCMS) to halt the closure of Drumcree College, Portadown. We in the SDLP have argued for a sustained period that the school should remain open to serve the needs of its community. I have raised the issue with my colleagues on Craigavon Borough Council, and it has been raised at the council, where cross-party meetings were sought with the Minister to impress on him the need to keep the school open. I welcome the decision by CCMS, albeit at the eleventh hour, to rethink its position on the closure of Drumcree College. The school received a letter from CCMS on Friday 26 June indicating its intention to find a way to keep it operating, albeit within a different model. This U-turn on any plans to close Drumcree will be welcome news to the school and the wider community.

Although the school is small, it is unique and strategically important in the context of the community. Drumcree College must be recognised as a good school that deserves widespread support and financial assistance from the Department of Education. Only in the past few weeks, the school learned of its all-Ireland UNESCO award for an environmental project. Yesterday, we had the privilege of meeting young Ellie Delaney, an attendee at the learning support unit who has raised over £4,800 for Headway Trust and the Rainbow Child Foundation. There is great pastoral care and community engagement as well as academic achievement in the field of maths, I believe, and a UK award in recent months.

I asked the Minister of Education on 31 May to provide me with his assessment of the consultation process on the future of Drumcree College. In response to this question, the Minister informed me that CCMS had responsibility in the first instance to manage provision in the maintained schools estate and bring forward proposals to the Department. As the process for Drumcree College was still at the initial consultation stage, he was not able to make any assessment of the process.

Over the past number of months, I have been deeply concerned at the attitude of CCMS, operating under the

policy direction of the Minister of Education, who was refusing to engage with the board of governors, staff and parents associated with the college. I have received correspondence from many teachers at Drumcree College expressing their grave concern at the possible closure of the school. Teachers have told me of their fear that pupils would not receive the quality of teaching and learning they deserved in other schools in the area — not due to the efforts of those schools, however, but simply as a result of oversubscribed classes. Such oversubscription would require additional funds from the Department in order to meet the needs of the children in the other schools in the area, namely St Catherine's and St Patrick's.

The Minister has set out his key objectives as raising standards, targeting social need and building a network of strong, sustainable schools. Drumcree College provides key facilities to support its young people, including a full-time counsellor and learning mentor to engage students and develop their ambition and skills to contribute to the local economy. The removal of these services would create a state of flux in this socio-economically deprived community and rob these children of a good standard of education and support.

I am told by many in the teaching community that CCMS has not provided the level of support necessary. No statement was issued encouraging students to attend Drumcree College, and this action would have lessened the fear of parents and guardians. The Minister refers to the need to take decisions based on independent advice, yet he chooses to ignore two separate consultations for closure carried out on Drumcree College, both supporting Catholic education in Portadown. CCMS also ignored this.

*(Mr Deputy Speaker [Mr Beggs] in the Chair)*

This debate provides an opportunity for this House to hear from the Minister as to how this very welcome U-turn came about and provide us with the detail of the new plans he will put in place to support the college going forward. I welcome the Minister's recent statement recognising that small schools can be of strategic importance to local communities and deserve to be adequately resourced in order to meet the needs of their children. I call on the Minister, following the recognition of the importance of this school, to pledge to this House that he will do everything in his power to keep it open and functioning to meet the needs of its local community, and that, in the future, he will not be so ready to create a fearful environment for parents, pupils and staff by treating an unfounded closure.

**Mr Moutray:** I congratulate Mrs Kelly on securing the debate this afternoon. I support her in the sentiments that she has extended. Drumcree College has served the community in which it is based very well for many years. It is recognised as the only post-primary school in the maintained sector in Portadown. It must also be noted that, if Drumcree College were to close, this would have an impact on the local community, not only educationally but also economically in that once again, people would be forced to send their children outside Craigavon to other places for their education, and that would have a very negative impact on the community.

In my role as mayor of Craigavon in 2010-11, I visited Drumcree College and was tremendously impressed by Mr Bullock, his staff and the children who were in attendance. I received a very warm welcome and I came

into a school that was bright and happy. I think I was there on a European day or something like that, and I had a great experience and went away feeling that this was an educational establishment that was working. We must remember that the area of Portadown in which it is located has had many problems over the years, and Drumcree College, as far as I was concerned, was a beacon of light in that area in many times that were very dark.

I pay special tribute to the learning support unit in Drumcree. I also met Ellie Delaney when she was up here yesterday. I was delighted to meet her and some other people from the school. That unit in the college does some excellent work in preparing young people for later life. I looked on the internet earlier today at the skills areas that they receive training in. Among them are information and communication technology (ICT), horticulture, media training and other skills. All those things are so important in training young people as they go through school and into work.

At the end of the day, I hope that the decision not to close the school will be stood by in the years ahead. It is envisaged that population numbers will increase significantly from 2015 on. There will be demand for Drumcree College in the days that lie ahead. I wish the school all the very best. I am pleased that I have had the opportunity to speak in this debate.

**Mr Gardiner:** First, let me record my congratulations to Mrs Dolores Kelly, who has done so much to fight the corner of Drumcree College in Portadown. She deserves praise for her persistence and hard work.

The whole state of education is in flux after 15 years' tenure of the education Ministry by Sinn Féin. Where it found peace, it has brought about conflict, uncertainty and discord. Nowhere is that more true than in my constituency of Upper Bann. Not only was Drumcree threatened with closure — hopefully, that has been reversed — but the Dickson plan, the mainstay of education in north Armagh for the past 40 years, is under direct threat. The thing that concerns me most about education change sponsored by Sinn Féin is the loss of opportunity that it represents for different groups of young people. In the case of Drumcree, it would have been a loss to children from a socially deprived background. In the case of the destruction of the Dickson plan, it will be a loss of two of the Province's best grammar schools, serving children from broadly pro-unionist backgrounds.

The Education Minister's plan to dismantle the Dickson plan in north Armagh is, I believe, the latest move in the cultural war that Sinn Féin is waging against unionism. Just as Drumcree was a vehicle to address social deprivation and educational disadvantage at the very place where that disadvantage and deprivation was happening, the closure of the two successful grammar schools in Lurgan and Portadown will see the shutting off of the life chances for a whole generation of children from broadly pro-unionist backgrounds. I believe that Sinn Féin wants to turn them into a sort of underclass and to shut down their life chances. It is not just the policy of Sinn Féin that I object to, but the way in which it is implementing it. It does not build up; it pulls down. It does not reinforce; it undermines. It should be building on the excellence that already exists in the system, not trying to destroy it. The principle that should guide educational change should be to retain what is working well in the system and build up the parts of the

system that are not. Let us hope that the revisiting of the Drumcree decision is a sign that things will be changing.

**Mr Anderson:** I, too, congratulate Mrs Kelly on securing the debate today. From the very outset, I thought that I was in the wrong debate; I thought that I was a couple of weeks behind, when we were hearing about the Dickson plan. I welcome Mr Gardiner coming late in the day to discuss the Dickson plan and lending us his support. I appreciate that that is now moving forward. Perhaps we will get fewer mixed messages coming from the representatives in Upper Bann on the Dickson plan than those that we heard in the past. Hopefully, we can take that forward.

For the second time in a few days, we are having a debate on the provision of education in Upper Bann, specifically in the Craigavon area. Two weeks ago, it was the Dickson plan in the controlled sector in Craigavon, and, today, it is Drumcree College in Portadown, which, of course, is in the maintained sector.

### 3.45 pm

We have heard some of the facts and issues about Drumcree College in the debate, and it is worth noting that Drumcree College is the only post-primary school in the Catholic maintained sector in the Portadown area. If it were to close, pupils who want an education in a Catholic school would have to travel as far away as Armagh, Keady and maybe beyond.

The Education Minister, Mr O'Dowd, is an MLA for Upper Bann, and I am aware that Sinn Féin councillors in the area have expressed regret at the uncertainty surrounding the future of the college. I would, therefore, be interested to hear exactly what the Minister and his party are doing to support the college in its campaign to remain open.

The Minister, when speaking generally about school closures, has said that it is not just a numbers game, and I agree with him. As I said previously, many different criteria need to be taken into account when deciding the future of schools.

Drumcree College is a good school. I know it well because I live quite close to it. It is a well-established school that produces excellent academic results. It provides staff and pupils with a happy educational environment. It has high standards that it seeks to maintain. I believe that the school's mission statement is:

*"to provide an excellent education for all".*

The Council for Catholic Maintained Schools (CCMS) has earmarked Drumcree College for closure for some time, and this ongoing uncertainty has not been good for stability or the morale of the school. No one would disagree that the school has suffered from underinvestment and a declining enrolment. However, that really ought to have been addressed long before now.

In April 2009, the Minister's predecessor, Caitríona Ruane, launched the policy initiative Every School a Good School, which was designed to improve outcomes for pupils and young people. Few would disagree with that. Why then can Drumcree College not be given a chance to fulfill its potential? As I said, it is a good school, and given help, support and a clear vision for the future, there is no reason why it should not be an excellent educational asset for that area.

The uncertainty about the future of the college has led to the inevitable knock-on effect of making it difficult for it to attract new pupils, and it has certainly suffered from falling enrolments. However, even with that uncertainty, enrolments have increased, albeit slightly, which is significant in itself. As Yvonne Sterritt, a community worker in the Ballyoran area and a member of the group campaigning to keep the school open, said, the numbers were:

*“evidence of a resounding voice from within the area which supports the continuance of Drumcree College.”*

CCMS has given the college a reprieve, and it will be open in the new academic year starting in September. I am pleased about that, but it is just another stay of execution. We need clarity and a sense of direction. The uncertainty has dragged on for far too long.

Like others, I welcome the debate and hope that a resolution can be found for the school. It is needed and much required in that area. I hope that that resolution comes about quickly.

**Mrs Dobson:** I also congratulate Mrs Kelly on securing this timely Adjournment debate. It is timely because it gives the House an opportunity, once again, to discuss education in our constituency of Upper Bann.

As Mr Anderson mentioned, the debate comes less than a week after the divisive betrayal of public opinion that was shown by SELB in voting for option A, which will effectively end the Dickson plan. CCMS's earlier decision to announce the closure of Drumcree College has equally angered communities in Portadown. However, its recent announcement of a pause in the consultation is to be welcomed.

At the very heart of this debate is the provision of quality local services for local people. The mission statement of Drumcree College is:

*“to provide an excellent education for all”.*

If only that statement applied to SELB, CCMS and, indeed, the Department.

Last July, it was reported by SELB that the number of pupils putting Drumcree College as their first preference had risen, despite the school being earmarked for closure. That raised, once again, as in the case of small rural primary schools, the very real danger of self-fulfilling prophecies. The public hear that a school may close, vote with their feet and, unwittingly, the fate of the school is sealed. The longer uncertainty remains, the more that danger increases. However, having said that, I wish to commend those from the community who have campaigned to keep the college open. They can claim credit for that modest rise in the number of pupils who chose the college as their preference last year.

I noted with interest last week that the Minister's counterpart in Wales, Leighton Andrews, resigned because he was seen as trying to keep a school open in his constituency. There is no danger of that happening here. Mr Andrews apparently lost the confidence of the Welsh First Minister. Perhaps our own First Minister will consider making a similar gesture, given the politically motivated actions taken over the future of the Dickson plan. If trying to keep a school open in the Minister's constituency is a matter for the ministerial code in Wales,

surely the threat hanging over the future of a school, or, indeed, a Minister intent on ending an entire education system, should equally come under the same scrutiny here.

The Minister is happy to hide his dogmatic party politics behind CCMS on Drumcree College and SELB on the Dickson plan. They provide convenient camouflage and cover for a Minister intent on continuing to ride roughshod over public opinion. Communities in Portadown support the retention of Drumcree College. That is backed up by almost 700 responses to the SELB's area-planning process. In SELB's own words:

*“A majority of respondents commented that options other than closure should have been presented for consultation.”*

In the responses, it is pointed out that Drumcree College, like many schools, plays a central role in the community. The Drumcree Community Trust questioned whether the impact of the proposed closure on the community had been properly assessed. That is especially important, as Mrs Kelly highlighted, because a substantial part of the catchment area of the college lies within the north-west Portadown neighbourhood renewal area. The Minister will be well aware of the level of DSD-funded projects that have been conducted in recent years at schools within those areas. Communities are benefiting from the high level of investment in the future of their children. I, therefore, urge the Minister not to remove local post-primary provision. That would force children to travel far from their homes and would be potentially damaging in the long term to our local communities.

In saying that, I welcome the pause that CCMS has recently put on the process, and again urge SELB to take similar action in its area-planning proposals. The majority support the retention of Drumcree College. Majority support is something that Drumcree College and the Dickson plan have in common, but the Minister must stop and listen to the public before making decisions. I urge him to do so.

**Mr Deputy Speaker:** I call Mr Mervyn Storey.

**Mr Storey:** Thank you, Mr Deputy Speaker. The Minister stood up; he thought that he was Mervyn Storey. *[Laughter.]* I am sure that that is a nightmare that he will try to get over in the next few hours.

I thank you for calling me, Mr Deputy Speaker, and I apologise to Mrs Kelly for not being present to hear her comments at the commencement of the debate. I congratulate her for securing the debate at a timely period, not only for Drumcree College but for education generally in the Craigavon area.

I am Chair of the Education Committee, and I always like to support Members when an education issue is being debated. I have tried, as consistently as I can, to be present on most occasions because I do not see it as me just trying to fill time, rather it is my responsibility as an elected representative who has been given an important role in the Assembly. I also want to commend my colleagues from the area and to support them when such debates take place.

This afternoon, we are at another point when people will use the debate for other reasons. There are others who are using this debate, all of a sudden six months later, to

extol the virtues of the Dickson plan, even though they had been deathly silent for a long time. Some of them could neither spell Dickson nor describe what a controlled school was because their domain was always in other places. However, we welcome conversions, and we welcome those who now, all of a sudden, see the merit in what we have been saying for some considerable time.

The focus of this debate has to be on Drumcree College and on what CCMS has been doing about the school. I thank the Member who supplied me with the correspondence that came yesterday from CCMS. I was absolutely astounded to read that an organisation that is tasked with being the voice and the champion of the maintained sector has, all of a sudden, tried to use the Minister as a cloak of convenience

There is no one happier than I am, when necessary, to give the Minister a metaphorical doing-over in this House. He is bigger than me, so I could not do it physically. *[Laughter.]* Nevertheless, organisations have to take responsibility for their own patch. I would like to know when CCMS has been a help to Drumcree College other than in its comments, in which it says:

*“As a consequence, CCMS now proposes to pause consultation on the closure.”*

What message does that send out to the staff? What message does that send out to the community? What message does that send out to the pupils? It says that all you are is a part of a process, even though we know about the contribution that Drumcree College has made to its community and, I believe, to the wider community. Let us not try to narrow this down or suggest that this is, somehow, an issue that benefits just the Catholic community in the area. Drumcree College benefits the entire community in the way in which it goes about its job. If we really want to see progress in the Craigavon area, CCMS should step up to the plate by having shared provision in that area rather than doing what it has done to date, which, to benefit its own agendas, is to run away from the Dickson plan and to try to dismantle a process that has been there for many years.

I will place on record in the House this evening my support for the comments that have been made in the debate. I apologise again to Mrs Kelly for not being here at the start of the debate. I trust that the pause in the consultation will be beneficial to the school and that it will not further compound the problems, difficulties and challenges that the pupils of Drumcree College and their parents face but that it will give them an opportunity to ensure that the school is there for those young people who will most benefit as a result of the education that they receive in that establishment.

**Mr Deputy Speaker:** I now call the Minister of Education, Mr John O’Dowd, to respond to the debate. *[Laughter.]*

**Mr O’Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to debate and outline some of the facts about Drumcree College, even though I know that the facts sometimes get in the road of a good argument.

First, I want to put on record that I have never ignored the views of or refused to engage with the board of governors of Drumcree College, the pupils and their parents or, indeed, the SDLP on the matter.

Let us look at the history of the proposal. Throughout her speech, in fairness to her, Mrs Kelly outlined the relationships in this matter, as well as my role and that of my Department and CCMS. First and foremost, it is legally the role of CCMS to decide the future of Drumcree College. I cannot legally interfere in the role of CCMS. I will come on to Mrs Dobson’s comments about what happened in Wales later.

Regardless of whether the school is in my constituency, under various pieces of legislation, I have a legal duty as Minister to follow the proper procedures. CCMS has, through the post-primary Catholic review and the post-primary area plans, proposed the closure of Drumcree College. That, of course, caused concern in the community in Portadown but particularly among the staff of Drumcree College and the pupils and their parents. It has to be put on the record that there are sufficient pupil numbers in the Catholic sector in Portadown to keep Drumcree College open. The vast majority of parents, over many years, have decided to send their children elsewhere. Some of that was to do with the conflict around the Drumcree parading disputes and the atmosphere around Portadown at that time, while some of it was to do with how the amalgamation between the two former schools was managed — staff relationships, and so on — at that time. Parents made a conscious decision. Mrs Kelly stood in the Chamber last week and defended parental choice. She defended the right of parents to decide what school their children attend. Is she seriously suggesting that I stop parental choice because it suits her in this political context? I cannot stop it.

**4.00 pm**

**Mrs D Kelly:** Will the Minister give way?

**Mr O’Dowd:** No. I cannot stop parents deciding to send their children out of Portadown to Armagh, Dungannon, Lurgan or Craigavon. I have no legal authority to do so, nor do I wish to have legal authority to do so.

Members across the Chamber last week supported academic selection as the best thing since sliced bread. The consensus among them was that it is the best invention ever in education and that we are so lucky to have it. Some parents decide to send their children outside Portadown, past Drumcree, up the Moy Road, up the Armagh Road and into Lurgan for academically selective education based on the myth that the education is in some way different or better. Members of all the other parties in the Chamber last week stood up and defended academic selection, but they now realise the impact that their policy has on local schools. One of the impacts on Drumcree College has been to create the myth that grammar schools provide a different type of education from non-selective schools. That is not true, and it is not a view supported by me, but it is one that is supported by every other party in the Chamber.

Parties quite rightly examine my policies and the impact that they have on schools, but they need to examine their own policies and their impact on schools, because the thing that is having the most detrimental impact on Drumcree College is the myth that schools outside it provide a different and better education.

**Mrs D Kelly:** Will the Minister give way?

**Mr O’Dowd:** No.

It is not true. They all teach the same curriculum and have the responsibility to provide 24 to 27 subjects.

Let us look at where we are with Drumcree College. CCMS in the past number of days has said that it is going to pause its proposal to close the school. Although I welcome that decision, Mr Storey has a point. The pupils, parents and teachers who attend and support Drumcree College and the north-west community in Portadown need certainty; they need to know what is happening with Drumcree College. I as Minister cannot confirm what is happening with Drumcree College until I get a firm proposal from CCMS. We need a firm proposal. CCMS talks about providing alternative post-primary provision on the site. Let us see what that looks like and let us give certainty to those who wish to have continued education at Drumcree College.

An Adjournment debate secured by Mrs Kelly titled "Proposed Closure of Drumcree College" does not give any certainty to the college or to parents and pupils. A more appropriate title for the debate could have been "The Future of Drumcree College" or "Support for Drumcree College". What does it say to the community in Portadown when Mrs Kelly tables a topic for the Adjournment debate titled, "Proposed Closure of Drumcree College"? There is no proposed closure of Drumcree College.

**Mr Anderson:** Will the Minister give way?

**Mr O'Dowd:** No, you have all had your opportunity.

It was mentioned in CCMS documents, but there is no proposal for the closure of Drumcree College.

Perhaps Mrs Kelly wants to come in at this point, because I am not sure which two consultations I ignored about Drumcree College. You referred to that in your speech, so perhaps you would like to elaborate.

**Mrs D Kelly:** I am grateful to the Minister for giving way. He knows quite well that when I tabled the topic for debate, Drumcree College was being proposed for closure and that that was the basis for the consultation. There were consultations earlier this year, and this is the second consultation on Drumcree College. Minister, I tabled a question to you asking you, and I think that the school asked you — I am sure that you will correct me if I am wrong — to consider giving it a five-year breathing space so that it could come forward with a development proposal. You refused to do so.

**Mr O'Dowd:** Mrs Kelly, you either refuse to understand the system or you continue to ask the question because the answer does not suit you.

I have no legal authority — no legal authority — to interfere in the role of CCMS. I have no legal authority to tell any school that I will give it five years before a development proposal comes forward. The only body that can do that in this case is CCMS. The only body that can give Drumcree College a five-year stay of execution from a development proposal is CCMS. Let me say it again: I have no legal authority to do so. It may not suit your political agenda for me to give you that answer.

**Mr Anderson:** Will the Minister give way?

**Mr O'Dowd:** Just give me one moment.

I suspect that although many in Portadown are delighted that CCMS has come forward with its proposal today,

Mrs Kelly is very disappointed, because she was building a wee political campaign for herself that was not in the interests of education but was in the interests of Mrs Kelly.

**Mr Anderson:** I thank the Minister for giving way. He says that he has no legal authority to bring this forward. Minister, take off your ministerial cap and tell us this: do you, as an MLA for Upper Bann, support keeping Drumcree College open?

**Mr O'Dowd:** When you take up a ministerial post, you also take on a code of conduct and a ministerial code. Under that ministerial code, you say that you will serve all the people of the North. That is where my ministerial responsibilities come into play. If I were to make alternative views known or treat Drumcree College differently than any school outside my constituency, Members on all the other Benches would, quite rightly, call for my resignation. Indeed, Mrs Dobson said today that the First Minister should perhaps consider whether he has confidence in me. I suspect that I can answer that question, but the First Minister does not appoint me. The deputy First Minister appoints me, and I will let him answer that question.

I have a duty, which I take very seriously, to serve all the people of the North. I will not treat schools in my constituency any differently from those in any other constituency. If I do not believe that my policy is right, I withdraw my policy. However, I believe that the policy is right. I believe that it is there to protect the educational well-being of all our young people, uncomfortable though that may be for me at times as an MLA or as an individual. I cannot let my heart rule my head on this matter.

As I said, I welcome the fact that CCMS has brought forward further clarification today, but it is long past the time that pupils, parents, teachers and those in the Portadown community who support Drumcree College had certainty. I urge CCMS to bring forward a definitive proposal on the way forward for that college, for the sake of everyone.

*Adjourned at 4.08 pm.*



# Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.





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## Health, Social Services and Public Safety

### Potential Trust Procurement Issues

*Published at noon on Tuesday 2 July 2013*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** This Statement draws to the Assembly's attention audit investigations arising from information reported by whistle-blowers about potential malpractice in the procurement and management of building maintenance in the Northern Health and Social Care Trust.

Assurance and accountability is fundamental as it is important to know that ALBs are complying with relevant guidance and regulations. One area which can be particularly challenging is that of procurement given the wide range of local, national and European legislation, regulations and guidance. Adherence to these requirements is essential if we are to demonstrate value for money for Health and Social Care and ensure equitable treatment to all our suppliers and contractors. I expect nothing less from those in my Department and its Arms Length Bodies.

However within the Northern Health and Social Care Trust whistleblowing allegations have been made of procurement and potential contract management malpractice within the estates function, alongside others relating to managerial issues. Under my Department's oversight, BSO Internal Audit and investigation specialists are investigating these allegations.

Although a report has not yet been finalised, it is apparent that there are a number of procurement control weaknesses in the Trust's Estates function and investigations are still ongoing. In this respect, external audit, as part of their audit on the 2012/13 Annual Accounts, have identified £860,000 of payments in respect of Measured Day Term Contracts (MDTC), which may be potentially irregular due to procurement issues. The Trust has already moved to take some corrective action and Health Estates Investment Group, within my Department, will also undertake a series of compliance checks across all Trusts and further audits are planned for 2013.

My Department is ensuring that all allegations are investigated with appropriate rigour to ensure that when any necessary improvements have been made, the public can have full confidence in NHSCT Estates procurement practices.

It is appropriate and important that where anyone has information about abuse of public money this is brought to light so that the specific issues can be resolved, appropriate lessons learned, and public confidence restored. Where wrongdoing has occurred it must be addressed, with a proportionate and appropriate response.

I will provide further information to the Assembly following completion of all the investigations.

## Social Development

### 2013 Annual Report on the Concordat between the Voluntary and Community Sector and the Northern Ireland Government

*Published at 3.00 pm on Tuesday 2 July 2013*

#### **Mr McCausland (The Minister for Social Development):**

As you are aware, the Concordat between the Voluntary and Community Sector and the Northern Ireland Government included an undertaking to report annually to the Northern Ireland Executive and Assembly on issues impacting on the Sector. In accordance with the principles contained within the Concordat, I wish to present Assembly colleagues with the second report on the implementation of the Concordat. This report includes detail on issues impacting the Voluntary and Community Sector, the progress made against selected commitments contained within the Concordat and progress made against recommendations made by the Public Accounts Committee in their report 'Creating Effective Partnerships between Government and the Voluntary and Community Sector'.

The Concordat, which is the formal agreement between this Assembly and the Voluntary and Community Sector, is the means by which we work together as social partners with the Sector to create more responsive and people-centred public services and since its launch in 2011, work has been ongoing to create the circumstances where these outcomes can be realised.

This pledge by government and the sector committing to work together is underpinned by the establishment and implementation of an agreed set of commitments. The report presented today demonstrates how serious this commitment has been taken and how much can be achieved when we work together.

This government has long recognised and valued the contribution the Voluntary and Community Sector makes to the social, economic, environmental, political, and cultural life of Northern Ireland and recognises and supports the independence of the Sector and its right to campaign within the law and to comment on and, where appropriate, challenge government policy.

This is where the Concordat agreement has been pivotal in placing the Sector on an equal footing with the public sector bodies it interacts with on a daily basis and in giving the Sector a voice that can now be clearly heard. The Concordat, as a written agreement, has been transformed into a living document with the power to build capacity and the capability to make more responsive and people-centred public services by harnessing the expertise available to us.

This is the second report on the Concordat from the Joint Forum and this is what makes the progress on the commitments all the more significant. The report demonstrates that the Joint Forum has tackled what have previously been considered difficult issues. An example of the tangible progress made includes the recent issue of a report on 'Addressing Bureaucracy'. In the last year real progress has been made in developing pragmatic ways to reduce bureaucracy in the funding process. This work will go some way towards reducing the bureaucratic burden on the Sector.

Progress has also been made in the area of policy development so that all significant stakeholders are involved in the process as early as possible so that the resultant policy will be fit for purpose. The Joint Forum has also provided a platform for Government Departments to communicate with the sector on key issues. Recent meetings have included presentations on the Reform of Local Government and Welfare Reform programmes.

New and existing public sector and voluntary and community sector working relationships have been established and strengthened and strong links have been forged with other forums with similar professional interests with an exchange of membership.

I am very pleased to commend this report to my Executive and Assembly colleagues and to endorse the progress made over the past year. The implementation of the Concordat commitments and the identification and resolution of issues affecting the Voluntary and Community Sector can only assist Government and Voluntary and Community Sector partnership working, which aims to better serve the people of Northern Ireland.

A copy of the report has been published on the DSD website and can be accessed from [http://www.dsdni.gov.uk/index/voluntary\\_and\\_community/vc-publications.htm](http://www.dsdni.gov.uk/index/voluntary_and_community/vc-publications.htm)

# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

Friday 14 June 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### China: OFMDFM Visit

**Mr Gardiner** asked the First Minister and deputy First Minister to detail (i) how many Ministers, junior Ministers, MLAs, officials and other people comprised the delegation for the business mission to China; (ii) the cost of their travel; (iii) the cost of their accommodation; and (iv) other costs associated with the mission.

(AQW 16734/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The information has been published on the OFMDFM website.

#### Executive Information Service

**Mr Allister** asked the First Minister and deputy First Minister when the review of the Executive Information Service began; and when it is expected to be completed.

(AQW 18689/11-15)

**Mr P Robinson and Mr M McGuinness:** The matter is being progressed.

#### Welfare Reform Bill

**Mr McGimpsey** asked the First Minister and deputy First Minister what representations they have made to the Minister for Social Development on behalf of victims to ensure that the Welfare Reform Bill does not disproportionately affect their entitlements.

(AQO 3559/11-15)

**Mr P Robinson and Mr M McGuinness:** Following discussions between DSD and OFMDFM, we are pleased to confirm that there will be no change under Universal Credit to how payments made by the Victims and Survivors Service will be treated within the social security system. As is the current position, such payments will be disregarded as income for those in receipt of social security benefits; however, they will be considered as capital. This is exactly the same position as to how payments made by the Memorial Fund are currently treated. The statutory basis for this approach is contained within regulations 5 and 13 of The Social Security (Miscellaneous Amendments No.4) Regulations (Northern Ireland) 2006.

#### NI Memorial Fund: Applications

**Mr Eastwood** asked the First Minister and deputy First Minister how applicants to the NI Memorial Fund were informed that the fund would permanently close for applications on 7 January 2013.

(AQW 21419/11-15)

**Mr P Robinson and Mr M McGuinness:** The Northern Ireland Memorial Fund (NIMF) wrote to recipients of the Fund on 14 December 2012, informing them that the Fund would close for applications on Monday 7 January 2013. Recipients were also informed of the transition arrangement of the Fund into the new Victims Service.

The Fund issued separate letters to clients who had already applied for funding in the 2012/13 financial year and those who were still eligible to apply but had not yet submitted an application

#### Victims and Survivors Service: Funding

**Mr Allister** asked the First Minister and deputy First Minister for an update on funding allocations by the Victims and Survivors Service; and to list the successful applicants and the amounts awarded.

(AQW 22730/11-15)

**Mr P Robinson and Mr M McGuinness:** This information is not yet available from the Victims and Survivors Service as processes are not yet complete.

**Unanswered Question: AQW 14210/11-15**

**Mr Allister** asked the First Minister and deputy First Minister why AQW 14210/11-15 remains unanswered eight months after it was asked; and to provide the answer to the question.

**(AQW 23183/11-15)**

**Mr P Robinson and Mr M McGuinness:** AQW 14210/11-15 was answered on 23 May 2013.

**Strategic Support Fund: Funding Allocations**

**Mr Allister** asked the First Minister and deputy First Minister to list the organisations in each council area that were awarded funding from the Strategic Support Fund in (i) 2012/13; and (ii) 2013/14; and the amount that each organisation received.

**(AQW 23231/11-15)**

**Mr P Robinson and Mr M McGuinness:** A list of organisations awarded funding from the Strategic Support Fund (SSF) in 2012/13, broken down by council area together with amounts awarded, is detailed in the table below.

<b>Council</b>	<b>Group</b>	<b>Funding</b>
Antrim Borough Council	Antrim Youth Information & Counselling Centre	£33,559
Armagh City & District Council	Restorative Action Following on The Troubles	£141,209
	REACT	£91,833
Banbridge District Council	South Down Action for Healing Wounds	£13,893
Belfast City Council	Haven Victim Support Group	£70,278
	Victims and Survivors Trust (VAST)	£141,982
	Lenadoon Community Forum	£78,740
	New Life Counselling Service	£134,147
	Corpus Christi Services	£171,147
	Survivors of Trauma	£145,298
	Families Beyond Conflict	£66,171
	HELP NI	£14,075
	Wider Circle	£16,612
	Holy Trinity Centre	£79,665
Derry City Council	Springhill Community House	£103,662
	Centre for Health and Well Being	£34,009
	Derry Well Woman	£85,165
	C.A.L.M.S	£191,344
Dungannon and South Tyrone Borough Council	Have Your Tomorrows (Hurt)	£43,916
	Aurora Counselling	£89,608
	The Peace Factory	£127,318
Fermanagh District Council	Aisling Centre	£66,994
	Firinne	£152,315
Lisburn City Council	Colin Community Counselling Project	£58,521
Multiple Councils	Cunamh	£172,490
	West Tyrone Voice	£108,045
	Columba Celtic Heritage Support Services	£61,927
	Regimental Association of UDR	£50,416
	NI Music Therapy Trust	£75,891
	HURT	£85,320
	Contact	£23,714

Council	Group	Funding
	Forum For Action On Substance	£84,073
	NOVA	£120,293
	South East Fermanagh Foundation	£268,606
	Crossfire Trust	£117,472
	Ashton Community Trust	£422,311
	Ex Services Mental Welfare Society	£81,642
	The Ely Centre	£214,039
	Relatives for Justice	£512,878
	WAVE	£1,170,885
	South Armagh Rural Women's Network	£75,930
Newry & Mourne District Council	Mourne Action for Survivors of Terrorism	£81,036
Omagh District Council	Families Moving On	£123,888
	Tara Centre	£105,437
	Omagh Support and Self Help Group	£131,553
Strabane District Council	The Koram Centre	£126,640
<b>Total</b>		<b>£6,365,950</b>

**Note:** As at 21.05.2013, these figures are subject to change following completion of verification exercises/repayment of underspends

The SSF, previously administered by the Community Relations Council (CRC), closed on 31 March 2013 and has been replaced since 1 April 2013 by the Victims Support Programme (VSP), managed by the Victims and Survivors Service (VSS).

Interim Letters of Offer were issued to groups by the VSS during April 2013. The VSS is currently in the process of meeting with the groups to finalise work plans and budgets for the next two financial years. In addition, a number of groups are progressing through an appeals process and a number are undergoing a corporate governance review. When all these processes are complete the VSS will then be in a position to provide full details of successful applicants and amounts awarded.

### Strategic Support Fund: Funded Staff

**Mr Allister** asked the First Minister and deputy First Minister to detail the number of staff (i) allocated; and (ii) appointed to each organisation that had staff funded by the Strategic Support Fund in 2012/13, broken down by council area. (AQW 23233/11-15)

**Mr P Robinson and Mr M McGuinness:** The number of staff allocated to each organisation funded by the Strategic Support Fund (SSF) in 2012/13 broken down by council area is detailed in the table below.

Information on actual staff appointed is not available. However, staff costs are checked during the verification process and funding is only provided based on staff actually in post.

#### Number of Staff in Groups Funded by SSF 2012/13

Ref	Group	Council	No. of Staff	
			FT	PT
Antrim Borough Council	Antrim Youth Information & Counselling Centre	Antrim Borough Council	0	2
Armagh City & District Council	Restorative Action Following on The Troubles	Armagh City & District Council	1	2
	REACT	Armagh City & District Council	1	1
Banbridge District Council	South Down Action for Healing Wounds	Banbridge District Council	0	0
Belfast City Council	Haven Victim Support Group	Belfast City Council	1	1

Ref	Group	Council	No. of Staff	
			FT	PT
Belfast City Council	Victims and Survivors Trust (VAST)	Belfast City Council	2	0
	Lenadoon Community Forum	Belfast City Council	1	3
	New Life Counselling Service	Belfast City Council	4	0
	Corpus Christi Services	Belfast City Council	2	6
	Survivors of Trauma	Belfast City Council	3	0
	Families Beyond Conflict	Belfast City Council	1	1
	HELP NI	Belfast City Council	0	0
	Wider Circle	Belfast City Council	0	0
	Holy Trinity Centre	Belfast City Council	2	2
	Springhill Community House	Belfast City Council	1	2
	Centre for Health and Well Being	Belfast City Council	1	1
Derry City Council	Derry Well Woman	Derry City Council	2	0
	C.A.L.M.S	Derry City Council	2	0
	Have Your Tomorrows (Hurt)	Derry City Council	0	2
	Aurora Counselling	Derry City Council	1	2
Dungannon and South Tyrone Borough Council	The Peace Factory	Dungannon and South Tyrone Borough Council	2	1
Fermanagh District Council	Aisling Centre	Fermanagh District Council	2	1
	Firinne	Fermanagh District Council	2	0
Lisburn City Council	Colin Community Counselling Project	Lisburn City Council	1	2
Multiple Councils	Cunamh	Derry City, Strabane District, Magherafelt District, and Limavady Borough Councils	3	3
	West Tyrone Voice	Strabane District, Omagh District, Derry City, and Dungannon & South Tyrone Borough Councils	2	0
	Columba Celtic Heritage Support Services	Derry City Council Area, Donegal County Council	2	0
	Regimental Association of UDR	Coleraine and Ballymoney Borough Councils	1	0
	NI Music Therapy Trust	Regional	2	0
	HURT	Craigavon Borough, Banbridge District, and Belfast City Councils	3	0
	Contact	Regional	0	2
	Forum For Action On Substance	Belfast City, North Down, and Ards Borough Councils	2	0
NOVA	Craigavon Borough, Banbridge District, Armagh City & District, Dungannon & South Tyrone, and Newry & Mourne District Councils	4	1	



Ref	Group	Council	No. of Staff	
			FT	PT
Multiple Councils	South East Fermanagh Foundation	Fermanagh District, and Dungannon & South Tyrone Borough Councils (Also working in partnership across Armagh, Newry and Mourne , Cookstown and Magherafelt)	2	2
	Crossfire Trust	Armagh City & District, Newry & Mourne District Councils	2	1
	Ashton Community Trust	Belfast City Council; Newtownabbey Borough Council; Lisburn City Council; Fermanagh District Council; Omagh District Council; Dungannon and South Tyrone Borough Council	7	0
	Ex Services Mental Welfare Society	Regional	2	0
	The Ely Centre	Fermanagh District and Dungannon & South Tyrone Borough Councils	5	0
	Relatives for Justice	Regional	10	0
	WAVE	Regional	25	10
	South Armagh Rural Women's Network	Armagh City & District and Newry & Mourne District Councils	1	1
	Newry & Mourne District Council	Mourne Action for Survivors of Terrorism	Newry & Mourne District Council	0
Omagh District Council	Families Moving On	Omagh District Council	1	1
	Tara Centre	Omagh District Council	1	3
	Omagh Support and Self Help Group	Omagh District Council	2	0
Strabane District Council	The Koram Centre	Strabane District Council	2	1
<b>Total</b>			<b>111</b>	<b>56</b>

### Strategic Support Fund: Funded Staff

**Mr Allister** asked the First Minister and deputy First Minister to list each organisation who has staff funded by the Strategic Support Fund in 2013/14, broken down by council area; and the number of staff funded.

(AQW 23236/11-15)

**Mr P Robinson and Mr M McGuinness:** This information is not yet available from the Victims and Survivors Service.

### Victims and Survivors Service: Staff Background

**Mr Allister** asked the First Minister and deputy First Minister for a breakdown of the community background of staff employed in the Victims and Survivors Service.

(AQW 23257/11-15)

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service has advised us that they currently employ 32 members of staff, who identify themselves as being from the following community backgrounds: 16 Roman Catholic, 11 Protestant and 5 None.

### QE5: Training Contracts

**Mr Allister** asked the First Minister and deputy First Minister (i) how much QE5 obtained from the Community Relations Council and the Victims and Survivors Service for training contracts in the victims sector over the last ten years; (ii) whether this was paid from core victims funding; and (iii) if not, what was the source of the payment.

(AQW 23259/11-15)

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service (VSS) has advised us that it has paid QE5 £2,756 for the provision of training. This payment came from the VSS corporate operating budget.

The Community Relations Council (CRC) has paid £16,409.70 directly to QE5 for training in the last ten years. These payments came from the CRC's administrative costs.

### **WAVE: Staff Background**

**Mr Allister** asked the First Minister and deputy First Minister for a breakdown of the community background of staff employed in the organisation WAVE.

**(AQW 23261/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department has no requirement to collect or hold this information and is not in a position to provide the information requested.

### **Victims and Survivors Service: Staff Background**

**Mr Allister** asked the First Minister and deputy First Minister for a breakdown of the cumulative community background of staff employed by groups funded by the Victims and Survivors Service.

**(AQW 23263/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service has advised us that it has no statutory obligation to collect or hold such information on the groups funded under the Victims Support Programme and is therefore unable to provide this information.

### **Racial Equality Strategy**

**Mr Flanagan** asked the First Minister and deputy First Minister for an update on the Racial Equality Strategy.

**(AQO 4062/11-15)**

**Mr P Robinson and Mr M McGuinness:** Our Department has always been and remains strongly committed to the mainstreaming and promotion of racial equality through both the Minority Ethnic Development Fund and the Racial Equality Strategy.

That Strategy has to be reflective of the actual needs of our minority ethnic people.

Officials have been liaising with the Racial Equality Panel and wider representatives of the sector to refocus and refine a strategy that is fresh, attainable and meaningful.

Following the last meeting of the Racial Equality Panel on 30 April, the draft Strategy is nearing completion and we intend to commence the public consultation exercise as soon as possible.

The cornerstone for the last Strategy was the six shared aims written in close collaboration with the sector.

The demographic and economic landscape has changed dramatically since the last Strategy and this has been factored into the draft document.

There is a clear necessity to get this Strategy right, robust and ready for realistic implementation and, through continued dialogue with the sector, we are confident we will have a Strategy that will deliver.

### **Peace Building and Conflict Resolution Centre**

**Mr McGimpsey** asked the First Minister and deputy First Minister whether they have had any correspondence with the Minister of Education about the proposed Peace Building and Conflict Resolution Centre.

**(AQO 4063/11-15)**

**Mr P Robinson and Mr M McGuinness:** We have had no correspondence with the Minister of Education about the Peace Building and Conflict Resolution Centre at Maze/Long Kesh.

Preliminary discussions were held with representatives from the education sector to help outline the Education, Research, Teaching and Learning work strand of the Centre and discussions will continue to help determine and shape this important area.

Stakeholder engagement will take place as the key projects at the site progress, including the development of the functions and services of the Peace Building and Conflict Resolution Centre.

### **Northern Ireland Centre for Trauma and Transformation**

**Mr Allister** asked the First Minister and deputy First Minister (i) how much of the allocation to the Northern Ireland Centre for Trauma and Transformation (NICTT) in (a) 2010/11; and (b) 2011/12 was spent; (ii) whether NICTT applied for funding in 2012/13; (iii) whether funding was awarded; and (iv) whether it is known why NICTT ceased to operate.

**(AQW 23405/11-15)**

**Mr P Robinson and Mr M McGuinness:** In 2010/11, our Department awarded a grant of £199,771 to the Northern Ireland Centre for Trauma and Transformation (NICTT). Following verification, it was assessed that the actual amount of spend for the period was £179,374.

In 2011/12, NICTT was successful in obtaining £271,675.50 in funding from the Strategic Support Fund, administered by the Community Relations Council (CRC) on behalf of OFMDFM. Due to the closure of the organisation on 31 December 2011, £211,305.76 of this funding was verified by CRC as actually spent.

NICTT did not apply for funding in 2012/13 and informed CRC that it closed due to a number of operational difficulties.

### Strategic Support Fund: Underspend

**Mr Allister** asked the First Minister and deputy First Minister to detail the underspend in the Strategic Support Fund in (i) 2010/11; (ii) 2011/12; and (iii) 2012/13.

**(AQW 23446/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department has not recorded any underspends for the Strategic Support Fund (SSF) in 2010/11 or 2011/12.

The SSF ceased to operate on 31 March 2013 and responsibility for its administration transferred to the Victims and Survivors Service (VSS) during November 2012. The VSS has advised us that the vouching and verification of 2012/13 SSF spend will not be finalised for a number of weeks.

### Child Poverty Reduction Pilot Study

**Mr Agnew** asked the First Minister and deputy First Minister for an update on the Child Poverty Reduction Pilot Study.

**(AQW 23500/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Child Poverty Reduction Pilot Study was put out to tender during summer 2012. Only one tender bid was received. Following assessment and discussions with the bidder, a clarified bid was received in late December.

Following careful consideration, a decision was taken not to proceed with this bid as it did not meet the minimum specification requirements as set out in the original tender.

### Children and Young People Strategy

**Mr Agnew** asked the First Minister and deputy First Minister when further action plans, emanating from the 10 year Strategy for Children and Young People, will be developed; and when work will begin on developing a further Children and Young People Strategy.

**(AQW 23502/11-15)**

**Mr P Robinson and Mr M McGuinness:** Implementation of the current Ten Year Strategy for Children and Young People is now being taken forward through the Delivering Social Change Framework. A key aim of the new Framework is to improve the outcomes for children and young people. The new Framework represents a move away from previous action plans towards a more focused and co-ordinated approach to maximise impact.

In support of this development, the Children and Young Persons Early Action document was published on 14 November 2012. This takes full account of the principles of the Ten Year Strategy for Children and Young People including its high level outcomes. It also identifies the key priorities for children and families over the remaining years of the Ten Year Strategy. The Early Action document identifies five priority work programmes focused on (i) early years and early intervention (2) actions to improve children's early literacy and numeracy skills; (3) support for services and interventions which protect and support young people through key life transitions; (iv) integrated service delivery (v) joined up planning and commissioning.

The document has been developed to assist key stakeholders in delivering further programmes and initiatives.

Any consideration of a successor to the Ten Year Strategy post 2016 would be informed by a range of factors. These would include, for example, an assessment of the progress achieved over the period of the existing strategy, the current context including the Delivering Social Change Framework, consultation with relevant stakeholders including children and young people and the outcomes and concluding observations of the Periodic Review of the UN Convention on the Rights of the Child.

### Magdalene Laundry: Abuse Inquiries

**Mr Agnew** asked the First Minister and deputy First Minister whether they will establish inquiries into allegations of abuse by people who fall outside the remit of the Historical Institutional Abuse inquiry, specifically victims of clerical child abuse and former residents or inmates of Magdalene Laundry type institutions.

**(AQW 23792/11-15)**

**Mr P Robinson and Mr M McGuinness:** The recent reports regarding the Magdalene Laundry institutions in the Republic of Ireland have raised the question of how those who were resident in similar institutions here may address concerns. Anyone who experienced abuse as a child within such institutions will be covered by the remit of the current Inquiry.

However, we are conscious that there may be a group that would not be covered as they were over the age of 18 during their residency. We have appointed a senior civil servant to draw up a scoping report on the Magdalene Laundry type institutions here to see what further action could be taken.

The issue of clerical abuse is no less important or emotive than institutional abuse and we are mindful of the equally destructive impact it has had on many individuals.

Following the Inquiry into Historical Institutional Abuse, it will be for the Executive to consider how to deal with abuse that does not fall within the Inquiry's terms of reference.

This Inquiry, however, was initiated in the 2009 Assembly debate about historical institutional abuse of children. The definition of an institution for the purposes of the Inquiry formed an important aspect of consultation with victims and other key stakeholders. Setting the parameters in this way does not in any way undermine the trauma that has undoubtedly been inflicted on many other individuals as a result of abuse in domestic and other settings. However, the categories to be covered by the Inquiry were selected because of the very particular vulnerable nature of this type of residential care.

### Childcare Strategy

**Ms Maeve McLaughlin** asked the First Minister and deputy First Minister for an update on the Childcare Strategy. (AQO 4180/11-15)

**Mr P Robinson and Mr M McGuinness:** The development and delivery of a Childcare Strategy is a key Programme for Government commitment. The Executive is determined to deliver a Strategy that will make a real and lasting difference to the lives of parents and children.

Public consultation on the Childcare Strategy ended on 5 March. All of the comments received have been reviewed to inform the development of the Childcare Strategy, including its priorities for early action. This work is at an advanced stage and we expect to be able to make an announcement shortly.

### St. Lucia Barracks, Omagh

**Mr Buchanan** asked the First Minister and deputy First Minister for an update on St. Lucia lands, Omagh. (AQO 4182/11-15)

**Mr P Robinson and Mr M McGuinness:** Part of St Lucia Barracks was gifted to our Department under the Hillsborough Agreement. The listed buildings and parade ground at St Lucia remain the property of the Ministry of Defence (MOD) and that part of the site has not been transferred to the Executive for legal reasons; however a resolution to this issue is currently being pursued by MOD.

Officials have held discussions and continue to liaise with Omagh District Council and the Department for Social Development regional development office regarding future possibilities for the site.

The Minister of the Environment announced on 3 May that he was recommending planning approval for the new Shared Education Campus at the Lisanelly site, which is adjacent to St Lucia. Strategic planning for the St Lucia site will take account of the impact of the schools development.

## Department of Agriculture and Rural Development

### Broadband: East Londonderry

**Mr Campbell** asked the Minister of Agriculture and Rural Development whether she will consider targeting rural areas of East Londonderry in the recently announced tranche of broadband funding. (AQW 23643/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** It is intended to target as many postcode areas as possible within the list of 6,500 rural broadband "not spots" based on multiple deprivation including some within your own area. Not all areas will be able to fully benefit from this round of targeting however as success is dependent upon the technical solutions available within the existing budget.

### Farmers: Damaged Farm Sheds

**Mrs Hale** asked the Minister of Agriculture and Rural Development for her assessment of the financial implications for farmers whose farm sheds which were damaged by the heavy snow around Easter and were not covered by insurance. (AQW 23657/11-15)

**Mrs O'Neill:** I am very aware that some farmers have suffered damage to farm buildings as a result of the 22-24 March snow storm and I fully sympathise with all those who were affected by the snow storm.

Given that those worst affected by the snow storm were livestock farmers, my aim was to provide early hardship funding to help mitigate the losses sustained by livestock farmers as a result of the snow storm. The hardship funding made available by the Executive has been specifically to help deal with these livestock losses.

The first element of the hardship funding was the payment by my Department of collection and disposal costs. The second element, concerns the Hardship Payments Scheme, which seeks to help mitigate the cost to farmers of the livestock losses arising from the snow storm.

There are no financial support measures planned as part of the hardship funding for farmers whose buildings were damaged during the heavy snow.

The Farm Family Options – Business Mentoring Programme, funded under the Rural Development Programme, assists farmers and family members, with the support of an experienced agricultural business mentor, to consider their current position, address the main issues, opportunities, concerns and to develop a focused Action Plan for the future.

Rural Support operates a helpline which provides a listening ear and signposting service for farmers and rural dwellers. If farmers themselves or someone they know would benefit from speaking to a Rural Support volunteer they can call the helpline which is confidential.

### **Slurry: 22-week Storage**

**Mrs Hale** asked the Minister of Agriculture and Rural Development to outline the protection in place for farmers who exceed 22 week slurry storage, given that the Environment Agency has suggested that they should cull healthy animals in order to comply with the EU Nitrates Directive.

**(AQW 23659/11-15)**

**Mrs O'Neill:** The EU Nitrates Directive is implemented through the Nitrates Action Programme (NAP) Regulations (NI) 2010 which is joint legislation between the Department of the Environment and my Department. The Regulations set the minimum slurry storage capacity for livestock farms at 22 weeks and 26 weeks in the case of pig and poultry enterprises. These are the minimum capacities and farms in wetter areas or with heavier soils may require greater storage capacity to ensure they spread slurry only when soil and weather conditions are suitable.

The NI Environment Agency (NIEA) is responsible for inspection and enforcement of the NAP Regulations. NIEA has confirmed that it has never suggested that livestock should be culled to meet the various requirements of the Regulations.

If farmers find they have insufficient slurry storage capacity on farm they can employ a range of management options to help achieve compliance with the Regulations.

Options farmers may consider include selling surplus livestock, renting additional slurry storage tanks, exporting slurry, use of a slurry separator and housing animals on straw bedded accommodation.

DARD's Code of Good Agricultural Practice provides advice to farmers on best practice for managing slurry. This includes how to maximise the available slurry storage capacity on farm by separating clean water and reducing the amount of dirty water produced from the farmyard which is collected in slurry tanks.

### **Farmers: Health and Welfare**

**Mrs Hale** asked the Minister of Agriculture and Rural Development what measures she has put in place to ensure that farmers' health and welfare are maintained following the severe weather at Easter and the current fodder crisis.

**(AQW 23686/11-15)**

**Mrs O'Neill:** The unprecedented weather has led to many issues for farmers in the north, including their health and welfare. I am committed to supporting the health and wellbeing of all those living in rural communities.

My Department provides funding to the Rural Support Charity who play a very important role in rural communities. During the severe weather at Easter and since then through the recent fodder crisis, farmers and members of rural families have been directed to Rural Support who address issues such as emotional distress, physical and mental health.

My Department are collaborating with DHSSPS, the Public Health Agency and Health Trusts on the Farm Family Health check project. This project includes a signposting service to mental health services.

DARD has also recently launched a joint initiative with DCAL and DHSSPS along with the Public Health Agency and the three main sporting bodies, GAA, soccer and rugby, to provide help, advice and support to those in rural areas suffering from poor mental health. This initiative aims to assist those living in rural areas in particular, where difficulty in accessing key services can have an adverse impact on the health of our communities and add to feelings of isolation.

In addition, the Farm Family Options Mentoring Programme funded by the Rural Development Programme, provides the opportunity for an experienced agricultural business mentor to discuss issues with a farm family such including their current situation, opportunities and concerns, and develop a focused Action Plan for the future. This can include signposting to other forms of support and assistance.

## Going For Growth

**Mr Swann** asked the Minister of Agriculture and Rural Development what commitment has she received from the Executive that the £400m required for the Going For Growth Strategy will be forthcoming.

**(AQW 23692/11-15)**

**Mrs O'Neill:** The Agri-Food Strategy Board's strategic action plan Going for Growth was only very recently launched a few weeks ago at the Balmoral Show.

The DETI Minister and I are in the process of examining all of the recommendations carefully, before presenting proposed next steps to the Executive. Obviously, the Board's recommendations have significant funding implications for DARD and other Departments and we will need to engage with colleagues on the detail of these, including their affordability. We expect to make an announcement on implementation, once the Executive has agreed the way forward.

## Land Parcel Identification System

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail the nature of the technical problem that caused errors in the Land Parcel Identification System maps.

**(AQW 23693/11-15)**

**Mrs O'Neill:** The maps produced this year for issue to farm businesses were constructed based on fields declared in the 2012 SAF together with other owned fields that DARD holds as being associated with the business. To present this view of fields in a map format required DARD IT systems to select declared and owned fields and associate these with a specific business. This is a complex task and for the majority of farm maps produced, this process worked successfully. However in one batch of maps the process failed resulting in not all fields being displayed on the map. The underlying data was not affected.

An automated script that produces the maps failed to complete successfully resulting in the missing fields on around 9% of maps.

Several businesses can have an interest in a field parcel for different schemes. To create the Single Farm Payment farm business map, it is necessary to pick out the field parcels associated with a business that declared specific field parcels as part of their SAF 2012 application. An automated script associates declared field parcels with businesses and builds a link. It also links owned field parcels with a business and based on these links builds a business map view that is then distilled into a PDF file, quality assured and then published through DARD online services before being sent on to a printer for hard copy map production.

The process is complicated in scenarios where the underlying field parcel information has changed since the time that the SAF declaration information was taken. For example, as part of the field boundary and ineligible feature improvement process, Land & Property Services (LPS) staff (using aerial imagery) split a field. The original declared field was not split i.e. it was based on a whole field parcel. The script must take this change into account when making the links. Likewise in scenarios where two fields are merged, the script must reconcile the fact that the original declaration was based on two fields but the amended field parcel view is that there is only one field.

Data was supplied to DARD for map production in three separate batches. Where businesses had field information that spanned across one or more of these batches the script made the links with the relevant information in one batch but failed to continue and pick up the remaining information from the other batch(es). These incomplete links meant that field parcels did not display on the map.

The problem was fixed and maps were reproduced within approximately 2.5 weeks of the problem being identified. These were made available on-line for viewing and printing. Farmers affected by this issue were provided with an additional 2 weeks to make map updates in advance of their Single Application Form being pre-printed with any updates made.

This is a transitional year for the Single Farm Payment system and the development of these new maps has been a novel and complex operation not made any easier by the need to maintain a 'live' system while integrating the new mapping data.

## African Horse Sickness

**Mr Swann** asked the Minister of Agriculture and Rural Development for her assessment of the threat of African Horse Sickness entering through the Republic of Ireland, considering there are controls in place across the UK but none currently exist in the Republic of Ireland.

**(AQW 23696/11-15)**

**Mrs O'Neill:** African Horse Sickness (AHS) is a notifiable disease both here and in the south of Ireland. The control measures for the disease are set out in EC Directive 92/35. It has never been detected on this island.

In the unlikely event of a suspect or confirmed case in the south of Ireland the powers to control the disease are currently contained in the Diseases of Animals Act 1966 (Notification and Control of Animal Diseases) Order 2008. DAFM officials have also confirmed that they are currently in the process of bringing forward a statutory instrument specifically for the control of AHS. This will contain similar provisions to those in the African Horse Sickness Regulations that are currently being finalised by officials in my Department. The production of our respective AHS Regulations is in line with the Fortress Ireland policy and I intend to raise this with Minister Coveney when the NSMC meets next month.

Current advice from my Veterinary Service officials indicates that the risk of African Horse Sickness incursion via legal routes of horses and horse products is very low. This risk is kept under review on an ongoing basis to take account of changes in climate and international horse movements.

In the event of an outbreak of any epizootic disease, such as African Horse Sickness, either here or in the south of Ireland, my officials and those in DAFM recognise that sustained cooperation is essential to the containment of the outbreak and to reduce further spread of disease.

### **Grazing: Blanket Bog Areas**

**Ms Lo** asked the Minister of Agriculture and Rural Development whether her Department monitors grazing in blanket bog areas to ensure that they are not overgrazed.

**(AQW 23721/11-15)**

**Mrs O'Neill:** My Department does not routinely monitor the grazing in blanket bog areas. However, during On-The-Spot Checks for area-based schemes such as Single Farm Payment (SFP), Less Favoured Area Compensatory Allowance (LFACA) and Agri-Environment Scheme, DARD inspectors record any breaches of Good Agricultural and Environmental Condition (GAEC). Protecting grassland and semi-natural habitats from over grazing is one of the GAEC requirements, and a breach of this standard may result in a penalty being applied to the scheme payment.

NI Environmental Agency currently undertakes routine monitoring of blanket bog on designated sites (Special Areas of Conservation (SACs) and Areas of Special Scientific Interest (ASSIs)) on a six-yearly cycle. The work enables NIEA to assess whether the blanket bog vegetation is in favourable condition or not. Where the habitat is unfavourable, the information collected helps to identify those factors that may be responsible, such as overgrazing. NIEA will then work with site managers and DARD to address the causes of unfavourable condition so that action can be taken to enable the habitat to recover.

### **Correspondence: Unanswered**

**Mr G Robinson** asked the Minister of Agriculture and Rural Development when will she answer the letter I sent on 26 April 2013.

**(AQW 23772/11-15)**

**Mrs O'Neill:** A response to your correspondence of 26 April 2013 was issued on 31 May 2013.

### **Horse Passports: Fraud**

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail (i) the number of cases referred to the Central Investigation Service since 2008 that relate to allegations of irregularity or fraud involving horse passports; ii) how many of these received a full investigation; and (iii) how many of these resulted in a criminal sanction.

**(AQW 23777/11-15)**

**Mrs O'Neill:** The Central Investigation Service received 6 complaints in relation to private sales between two parties concerning non-compliance with the Horse Passport Regulations. Of these 6 complaints, 3 were investigated, none of which resulted in criminal sanction.

### **Wind Turbines: Funding**

**Mr Frew** asked the Minister of Agriculture and Rural Development, pursuant to AQW 22423/11-15, of the 91 applicants who have accepted the letter of offer and have had funding made available to them, to detail how many have drawn down and used the funding to date.

**(AQW 23891/11-15)**

**Mrs O'Neill:** Of the 91 projects, 21 are completed and have received their funding in full (8 Feasibility, 11 installation and 2 as part of a larger project). Of the remaining 70 six have drawn down some funding against their projects (1 feasibility study, 4 installation and 1 as part of a larger project).

### **Trees: Native Species**

**Mr Ó hOisín** asked the Minister of Agriculture and Rural Development if Forest Service plans to increase the number of native tree species that are planted.

**(AQW 23991/11-15)**

**Mrs O'Neill:** Forest Service provide grant aid and advice to help farmers and landowners create new native woodland under the Woodland Grant Scheme and the Farm Woodland Premium Scheme. This is guided by Forest Service's publication of the "Native Woodland Definition and Guidance" Booklet produced by the Native Woodland Group.

To increase the level of planting, including native woodland, Forest Service plans to operate a pilot Forestry Challenge Scheme this year for the creation of at least 100 hectares of new woodland in addition to woodland supported under the existing forestry grant schemes. The Scheme is subject to EU approval and will be aimed at encouraging farmers and landowners to establish new woodland on a landscape scale and applications will be assessed by judging which proposals contribute most to delivering the aims of the Forestry Challenge Scheme on a best value basis.

In Forest Service managed woodland, the most appropriate areas for re-establishing native trees are identified through forest management plans. For example, native trees can be re-established near rivers or on ancient woodland sites where they can make a significant contribution to biodiversity. Natural colonisation or regeneration of native species is the preferred establishment approach which conserves local genetic distinctiveness and diversity.

### **Farmers: Livestock Sheds**

**Mr Rogers** asked the Minister of Agriculture and Rural Development what consideration she has given to the provision of a grant scheme for livestock sheds for hill farmers, to help minimise the impact of severe weather, such as that around Easter 2013. (AQW 24162/11-15)

**Mrs O'Neill:** I am very aware that farmers have suffered damage to buildings as a result of the snow storm of 22-24 March and I fully sympathise with the difficulties they are experiencing.

The Executive agreed to hardship funding in recognition of the extraordinary livestock losses suffered by farmers arising from the snow storm. The first element of the funding was the payment by my Department of collection and disposal costs. The second element, the Hardship Payment Scheme, seeks to help mitigate the cost to farmers of those livestock losses arising from the snow storm.

The hardship funding being made available by the Executive is specifically to deal with livestock losses and there is no provision for compensation for structural damage caused to buildings as a result of the snow storm.

The development of the future Rural Development Programme, which will include a grant aid scheme for farm businesses, is underway and this will be subject to a public consultation later this year.

The Farm Family Options – Business Mentoring Programme, funded under the Rural Development Programme, assists farmers and family members, with the support of an experienced agricultural business mentor, to consider their current position, address the main issues, opportunities, concerns and to develop a focused Action Plan for the future.

### **Farm Quality Assurance Standards**

**Mrs Hale** asked the Minister of Agriculture and Rural Development what support mechanisms she has implemented to help farmers achieve farm quality assured produce. (AQO 4282/11-15)

**Mrs O'Neill:** Farm quality assurance schemes for the various meat and non-meat categories within the food supply chain are administered and promoted by the agri-food industry.

The College of Agriculture Food and Rural Enterprise (CAFRE) supports good farming practices by developing people through education and training and the provision of technical and business development advice. A number of these training courses cover topics that would be considered best practice and would be commensurate with quality assurance schemes. These include the Animal Health Challenges, Cereals Challenge and courses such as Safe Use of Pesticides. In this way CAFRE helps farmers and growers to develop the required technical competences to comply with farm quality assurance standards.

However, it is the responsibility of the agri-food industry to develop farm quality assurance standards and to recruit farmers and growers into the farm quality assurance schemes.

### **Fodder Transport Scheme**

**Mr Flanagan** asked the Minister of Agriculture and Rural Development whether the objectives of the Fodder Transport Scheme were achieved. (AQO 4283/11-15)

**Mrs O'Neill:** My Department has been monitoring the fodder situation carefully. In response to discussions with the Industry on Thursday 16 May and my Department's assessment of the situation, I secured £1m to fund a Fodder Transport scheme in the north which started at midnight on 18 May 2013. The Scheme closed at midnight on 31 May 2013.

The objective of the scheme was to ensure that fodder was made available to farmers in the north who have found themselves short of fodder, as quickly as possible. The intervention was to subsidise the transportation costs for the importation of fodder into the north thus encouraging an adequate supply.

At the close of the scheme on 31 May 2013 in the region of 16,000 tonnes of fodder was imported into the north. While being delivered to all 6 counties over half was delivered to the west where the need was greatest.

I consider that the objective of the scheme has been achieved as much needed fodder was imported into the north for farmers to feed their stock.



## Fodder: Shortages

**Mr Spratt** asked the Minister of Agriculture and Rural Development to detail what forward planning is being put in place to assist farmers in the medium to long term regarding fodder shortages in the coming winter.

**(AQO 4284/11-15)**

**Mrs O'Neill:** I am very aware of the considerable difficulties facing farmers following prolonged periods of unfavourable weather. This has had a serious effect on our livestock industry and I recognise that it is likely to continue for some time to come. Indeed some of the effects may not be fully apparent until we reach the end of the summer and farmers start to house their animals for the winter period.

My Department has established a taskforce comprising representatives of the main farmers unions, feed suppliers, processor organisations and banks to work along with DARD to identify the issues facing the industry in the next twelve months. The taskforce will propose action that can be made by the industry and my Department to help mitigate any adverse effects of the fodder shortage as they develop.

The Taskforce has already met a number of times and has identified a range of issues. I anticipate that an action plan will be agreed this month and the Taskforce will be reconvened if necessary.

## DARD Headquarters: Business Case

**Mr G Robinson** asked the Minister of Agriculture and Rural Development what progress has been made on producing the business case for the proposed move of her departmental headquarters to Ballykelly.

**(AQO 4285/11-15)**

**Mrs O'Neill:** The business case is currently going through the normal internal appraisal processes within my Department. It will then be submitted to DFP for scrutiny. I expect that process to be completed before the end of summer 2013.

## Farms: Waterlogged Land

**Mr McNarry** asked the Minister of Agriculture and Rural Development to outline the action she is taking to deal with the problem of waterlogging of agricultural land which has hindered crop production and is driving up food and fodder prices.

**(AQO 4286/11-15)**

**Mrs O'Neill:** I fully recognise the difficulties being experienced by farmers and growers following the poor weather conditions throughout 2012 and during the spring of 2013. Waterlogged soils are caused by soils becoming compacted along with underlying drainage problems and my Department is working proactively with the industry to help farmers address these problems.

As part of my Department's response, CAFRE will be holding two training events on 3 and 5 July 2013 at Greenmount and Enniskillen Campuses respectively. These events will provide farmers with the knowledge to address soil compaction and drainage issues. Additional training courses for farmers and growers will be delivered during 2013 depending on local need. Individual farmers can also receive support from their local CAFRE Development adviser on soil and sward improvement.

In addition my Department is funding a research project on soil compaction which is currently being undertaken by AFBI. This is to identify the extent of soil compaction within the north of Ireland and its influence on crop yields. Various improvement methods currently being used by the industry will be evaluated.

## Hedgerows: Irish Hare

**Mr Lyttle** asked the Minister of Agriculture and Rural Development what encouragement her Department provides to farmers to retain hedgerows given, their importance to the Irish Hare.

**(AQO 4273/11-15)**

**Mrs O'Neill:** I welcome the opportunity to provide an update on the work that my Department carries out to encourage farmers to retain and positively manage hedgerows. These not only enhance the landscape but also provide valuable wildlife habitats for many species of animals and plants including the Irish hare.

Farmers who receive direct agricultural support payments, including Single Farm Payment (SFP) must retain field boundaries. Hedges are considered a landscape feature and are eligible for these payments provided they meet certain eligibility conditions.

Hedges must not be removed without prior permission from DARD and they must not be trimmed during the closed period for hedge-cutting. These actions are considered to be a breach of Cross-Compliance and could potentially result in the loss or reduction of the SFP and other direct payments. Removal of hedgerows may also be an offence under the Environmental Impact Assessment (Agriculture) Regulations (NI) 2007.

My Department actively encourages the management, restoration and regeneration of hedgerows through the provision of funding to around 12,000 farmers in agri-environment schemes. In 2012 agri-environment farmers committed to undertake a total of 200 kilometres of hedgerow restoration through actions such as planting, laying and coppicing.

Woodland also provides the Irish hare with habitat. Although the Forestry Act 2010 gives woodland owners general powers under to protect their trees from damage by wild animals, that power does not extend to Irish hares. The Irish hare was granted special recognition as an indigenous species of this island. As a result the Irish hare must not be killed at any time to protect woodland trees.

My Department also provides advice on managing and preserving hedgerows for biodiversity through a number of channels including communication with Countryside Management Advisers, information in scheme booklets, provision of training events, press articles and on the DARD website.

### **DARD Direct: Strabane**

**Ms Boyle** asked the Minister of Agriculture and Rural Development for an update on any progress in locating the north west DARD Direct office in Strabane.

**(AQO 4275/11-15)**

**Mrs O'Neill:** Strabane is a location well placed to provide the full range of DARD Direct services to farmers in the surrounding area. Following my decision to locate the north west DARD Direct office in Strabane, my officials have been working with DFP to explore options in the town, which will best meet the DARD Direct specification. I am committed to ensuring that we get the DARD Direct services up and running there, as soon as we are able.

## Department of Culture, Arts and Leisure

### **Pitches: East Derry**

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure how many third and fourth generation synthetic pitches are currently available for use in the East Derry area.

**(AQW 20948/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Neither my Department nor Sport NI retains information on the number of third and fourth generation synthetic pitches currently available for use in the East Derry area.

I have, however, asked Sport NI to carry out an audit of all sports facilities across the north of Ireland, including synthetic pitches. When completed, this information will be made available on Sport NI's website.

Sport NI has confirmed, however, that over the last four years, it has provided funding towards the development of two third generation synthetic pitches in the East Derry area.

### **Stadia: Funding**

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether there are any 'state aid' issues relating to her Department's funding package for the three sporting stadia; and what steps have been taken to address any issues.

**(AQW 21230/11-15)**

**Ms Ní Chuilín:** As this matter is the subject of current legal proceedings it is not appropriate to comment at this stage.

### **Coiste Na nIarchimí: Funding**

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether Coiste Na nIarchimí has ever been offered funding by her Department and for what purpose.

**(AQW 21378/11-15)**

**Ms Ní Chuilín:** My Department has not offered any funding to Coiste na nIarchimí.

### **Northern Ireland Screen: Funding**

**Mr I McCrea** asked the Minister of Culture, Arts and Leisure what funding has been provided to Northern Ireland Screen, in each of the last three years.

**(AQW 21429/11-15)**

**Ms Ní Chuilín:** Northern Ireland Screen has received the following funding in each of the last 3 years from my Department:

Year	Funding £000's
10/11	1,376
11/12	1,779
12/13	1,977

## Sport NI: Lottery Funding

**Mr McDevitt** asked the Minister of Culture, Arts and Leisure what proportion of SportNI Lottery funding has been granted to (i) statutory; (ii) voluntary or community; and (iii) private organisations, in each of the last five financial years.

**(AQW 21664/11-15)**

**Ms Ní Chuilín:** The table below outlines Lottery funding and the percentage proportions to statutory and voluntary or community sector organisations from

01 April 2007 – 31 March 2013. Sport NI did not fund any private sector organisations during this period.

Organisation Type	Financial Year					Grand Total
	2007-08	2008-09	2010-11	2011-12	2012-13	
(i) Statutory		£483,017 (14%)	£2,353,287 (43%)	£2,923,549 (55%)	£3,008,098 (46%)	£8,767,951 (30%)
(ii) Voluntary or Community	£8,621,005 (100%)	£2,951,007 (86%)	£3,094,643 (57%)	£2,373,300 (45%)	£3,536,570 (54%)	£20,576,525 (70%)
Grand Total	£8,621,005	£3,434,024	£5,447,930	£5,296,849	£6,544,668	£29,344,476

## Procurement: Social Clauses

**Ms Maeve McLaughlin** asked the Minister of Culture, Arts and Leisure, in light of the Programme for Government commitment to include social clauses in all public procurement contracts for supplies, services and construction, how many contracts her Department has entered into since this commitment; and what where the social clauses included in these contracts.

**(AQW 21738/11-15)**

**Ms Ní Chuilín:** Since the Programme for Government commitment to include social clauses in all public procurement contracts for supplies, services and construction, the Department of Culture Arts and Leisure has entered into thirty five contracts of which ten contain social clauses. This demonstrates the work undertaken to date in:

- The application of the north's equality duties, including Section 75, to ensure that resources and opportunities are specifically ring-fenced and targeted at sectors facing greatest inequalities within areas of greatest objective need.
- Promoting the living wage scheme, and opportunities for sub-contractors, through the Stadium Programme;
- The introduction of a new departmental priority to promote equality and tackle social exclusion and poverty throughout all departmental business, once again utilising the purposive as well procedural equality duties to target public resources at need.

Through these ten contracts the Department is working to promote sustainable economic, social, equality and environmental returns primarily through the Stadium Programme and projects within Libraries NI and the wider DCAL work-stream.

## Eel Fishing: Lough Erne

**Mr Allister** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 19966/11-15, to outline why a closure of eel fishing in Lough Erne presented compensation considerations different from those that would apply were the Lough Neagh Eel Fishery to close; and would her Department consider introducing a compensation scheme for Lough Neagh eel fishermen in the event of closure.

**(AQW 21933/11-15)**

**Ms Ní Chuilín:** A requirement upon the approval of the North West International Eel Management Plan under Council Regulation (EC) No 1100 / 2007 was the cessation of the commercial eel fishery on Lough Erne, as there was evidence that it did not meet the 40% escapement figure.

There was no provision for compensation in the NW Eel Management Plan or under Council Regulation (EC) No 1100 / 2007.

The potential threat of closure to the Lough Neagh eel fishery originates from proposals, which if accepted by the EU, would close all commercial eel fisheries across the EU. In the event of such circumstances I would consider it incumbent on the EU to include inter alia compensatory measures for those affected by a closure.

## NI Screen: Staff Contracts

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure if there are any outstanding staff contracts for NI Screen and if so, when was she notified.

**(AQW 22039/11-15)**

**Ms Ní Chuilín:** Staff contracts are a matter between NI Screen as the employer and its staff.

## World Police and Fire Games 2013

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure for an update on the World Police and Fire Games. (AQW 22252/11-15)

**Ms Ní Chuilín:** There has been significant progress in the preparation for the 2013 World Police and Fire Games.

As of 11 June 5,806 athletes have registered for the Games.

The response to the call for volunteers was excellent with over 5,200 fully completed applications. Notification of volunteers commenced on the 24th April and will continue through to June 2013.

Furthermore, a number of flagship sponsors have been secured to support the Games and contract details are currently being agreed. The sponsorship target for the Games has been exceeded.

All of the sporting venues for the Games have been confirmed with venue organisers and were announced on 31 May 2012.

The venue for the Games Opening Ceremony is The King's Hall Complex and it will take place on 1 August. The Closing Ceremony will take place at the Titanic Slipways on 10 August.

The World Police and Fire Games Schools Pack was launched in October 2012 which provides teachers with a comprehensive set of education resources to inform children and young people about the Games and get them involved in the event throughout 2013.

The Company has, and will continue to work with local councils to identify opportunities for them to organise or host events related to the Games. The Company's website provides details on other events taking place during the Games as well as information on local visitor attractions and places of interest, all aimed at showcasing what we have to offer in the north and maximising tourism benefits.

The Company has developed a Social Benefit Strategy and Legacy Plan to ensure the social inclusivity of the Games. As part of this, three charity partners have been appointed: The Northern Ireland Cancer Fund for Children, the SOS Bus and the Special Educational Needs Advisory Service will all benefit from an increased profile and fundraising opportunities during the Games.

## Theatre: Bangor

**Mr Agnew** asked the Minister of Culture, Arts and Leisure what assistance her Department can provide to community groups wishing to establish a new theatre in Bangor. (AQW 22462/11-15)

**Ms Ní Chuilín:** My Department through the Arts Council can provide funding to carry out feasibility studies into the establishment and sustainability of capital projects.

## Fintona Library

**Mr Byrne** asked the Minister of Culture, Arts and Leisure to outline the current position of Fintona Library; and what assurances she can give on its long term viability. (AQW 22829/11-15)

**Ms Ní Chuilín:** In January 2012 I provided Libraries NI with an extra £2.39m, some of this funding was to assist Libraries NI in meeting the additional costs associated with allowing seven libraries to remain open. These seven libraries, including Fintona Library, had been considered for closure following the Stage 2 Review of the Library Estate in the north of Ireland.

The operation of individual libraries and the management of the library estate are a matter for the Board of Libraries NI; however Libraries NI has informed me that its Board is working with the Fintona Community Forum, in partnership with the Fintona Library Educational Awareness Training Association (FLEAT), to develop proposals for the future of the library. It is anticipated that the Board will review the outcome of those discussions in October 2013.

## Parading: Socio-economic Impact

**Mr Copeland** asked the Minister of Culture, Arts and Leisure to outline the positive points which came from 'A Report on the Socio-Economic Impact of the Traditional Protestant Parading Sector in Northern Ireland', funded by the Department for Social Development; and how her Department will use the findings in this report. (AQW 23497/11-15)

**Ms Ní Chuilín:** My Department will take account of relevant research findings outlined in the DSD funded report.

## Department of Education

### Preschool Admissions: North Down

**Mr Weir** asked the Minister of Education, pursuant to AQW 23147/11-15, how many pupils (i) applied for pre-school admission; (ii) were not offered a place at their first preference setting; (iii) were offered a place at a subsequent preference setting; and (iv) remain unplaced.

**(AQW 23782/11-15)**

**Mr O'Dowd (The Minister of Education):** A total of 897 1st preference applications were received for settings in the North Down Council area during the 2013/14 pre-school admissions process. This included 10 late applications.

160 children were not offered a place in their 1st preference setting, of which 139 were offered a place in a setting listed as a subsequent preference. The parents of 18 children did not avail of the opportunity to state further preferences at the end of Stage 1 and 3 children whose parents submitted a late application during Stage 2 of the process remain unplaced.

All of the parents who fully participated in the process received an offer of a place for their child.

### Together: Building a United Community: Education Issues

**Mr Allister** asked the Minister of Education (i) whether he was consulted on the educational issues relevant to his Department prior to the announcement by the First Minister and deputy First Minister on the Together: Building a United Community Strategy; (ii) how any consultation took place; and (iii) when he was consulted.

**(AQW 23815/11-15)**

**Mr O'Dowd:** I was consulted on educational issues relevant to my Department prior to the announcement.

### Schools: Additional Places

**Lord Morrow** asked the Minister of Education to list the schools that received additional places for the September 2013 intake; and the number of additional places each school received.

**(AQW 23849/11-15)**

**Mr O'Dowd:** A list of schools and the number of additional places granted by the Department for September 2013 is detailed below. The information reflects the position as at the 5 June.

School	Additional Places
<b>Primary Schools</b>	
Carr's Glen Primary School, Belfast	1
Scoil an Droichid, Belfast	3
Gaelscoil na Mona, Belfast	1
Forge Integrated Primary School, Belfast	11
Kesh Primary School	4
Ballougry Primary School	5
Edwards Primary School, Castleberg	6
Greenhaw Primary School, Derry	1
Maguiresbridge Primary School	1
Gaelscoil Neachtain, Dungiven	8
St Ninnidh's Primary School, Derrylin	7
St Mary's Primary School, Mullymesker	8
St Mary's Primary School, Killyclogher	2
Drumlish Primary School	1
St Lawrence's Primary School, Fintona	4
St Columbkille's Primary School, Carrickmore	6
St Patrick's Primary School, Castleberg	3
St Dympna's Primary School, Dromore	4
Gaelscoil Na gCrann, Omagh	6

<b>School</b>	<b>Additional Places</b>
Enniskillen Integrated Primary School	3
Oakgrove Integrated Primary School	2
Greenisland Primary School	2
Fourtowns Primary School	1
Culcrow Primary School, Aghadowey	5
Damhead Primary School, Coleraine	2
Creggan Primary School, Randalstown	2
Mount St Michael's Primary School, Randalstown	2
St Brigid's Primary School, Tirkane	3
St Trea's Primary School, Magherafelt	1
St John's Primary School, Swatragh	2
St Patrick's & St Joseph's Primary School, Garvagh	5
St Oliver Plunkett's PS, Toomebridge	3
St Brigid's Primary School, Magherafelt	12
St Macnissi's Primary School, Newtownabbey	2
St Columba's Primary School, Kilrea	2
St Patrick's Primary School, Glen, Maghera	2
St Brigid's Primary School, Ballymena	16
Gaelscoil Eanna, Glengormley	18
Grey Abbey Primary School	1
Glasswater Primary School	1
St Patrick's Primary School, Saul	1
St Francis Primary School, Drumaroad	2
St Mary's Primary School, Ardglass	1
St Brigid's Primary School, Downpatrick	1
St Colman's Primary School, Lisburn	5
St Mary's Primary School, Newcastle	7
Kircubbin Integrated Primary School	4
Oakwood Integrated Primary School, Dunmurry	1
Millennium Integrated Primary School, Saintfield	15
Drumlins Integrated Primary School, Ballynahinch	4
Rowandale Integrated Primary School, Moira	4
Clare Primary School, Tandragee	1
Waringstown Primary School	2
Bleary Primary School, Craigavon	1
Maralin Village Primary School	2
Aughnacloy Primary School	1
Augher Central Primary School	1
Markethill Primary School	1
Drumadonnell Primary School	15
Orchard County Primary School, Portadown	3
Killyman Primary School, Dungannon	3

School	Additional Places
St Patrick's Primary School, Crossmaglen	5
St Brigid's Primary School, Crossmaglen	5
St Patrick's Primary School, Magheralin	1
St Mary's Primary School Barr, Newry	4
St Patrick's Primary School, Mayobridge	4
St Mary's Primary School, Cabragh, Dungannon	2
St Patrick's Primary School, Hilltown, Newry	21
St Joseph's Primary School, Galbally, Dungannon	8
St Mary's Primary School, Banbridge	1
St Colman's Primary School, Annaclone	5
St Mary's Primary School, Mullaghbawn	1
St Mary's Primary School, Pomeroy	1
St Mary's Primary School, Aughnacloy	4
St Francis' Primary School, Aghderg	1
St Colman's Primary School, Saval, Newry	1
St John's Primary School, Middletown, Armagh	7
St Francis Primary School, Lurgan	7
St Joseph & St James Primary School, Poyntzpass	3
Seagoe Primary School, Portadown	7
Gaelscoil Aodha Rua, Dungannon	2
Portadown Integrated Primary School,	14
Phoenix Integrated Primary School, Cookstown	5
<b>Post-Primary Schools</b>	
De La Salle College, Belfast	2
St Joseph's Boys' School, Derry	1
St Colm's High School, Draperstown	4
St Pius X High School, Magherafelt	2
Newtownhamilton High School	2
St Catherine's College, Armagh	24
St Colman's College, Newry	1

### Primary Schools: Admissions Procedure

**Mr Kinahan** asked the Minister of Education what steps his Department has taken to ensure that parents applying for primary school places are using addresses at which they actually reside; and how many cases of parents using false addresses have been discovered over the last three years.

**(AQW 23874/11-15)**

**Mr O'Dowd:** It is a school's responsibility as the admission authority to ensure that the information it takes into account when applying its admissions criteria to applications for places, is accurate. Where a school is oversubscribed and it has to apply its admissions criteria to determine admission, the Boards of Governors have a duty to verify 'qualifying information' contained within applications, if at the point of applying their admission criteria, there have a 'general knowledge or belief' of a problem of false information.

The Department provides guidance within DE Circular 2011/20 to schools on the duty to verify. The guidance is on the Department website at [http://www.deni.gov.uk/circular\\_2011.20\\_-\\_guidance\\_on\\_a\\_school\\_s\\_duty\\_to\\_verify\\_information\\_contained\\_within\\_applications\\_for\\_admission\\_\\_pre-school\\_\\_primary\\_\\_\\_post-primary\\_\\_pdf\\_1.27mb.pdf](http://www.deni.gov.uk/circular_2011.20_-_guidance_on_a_school_s_duty_to_verify_information_contained_within_applications_for_admission__pre-school__primary___post-primary__pdf_1.27mb.pdf).

Where the Department receives any information about possible use of false addresses, this is passed on to the school to address.

The Department does not hold information on the number of false addresses discovered over the last three years.

### Schools: Admissions Procedure

**Mr Kinahan** asked the Minister of Education what verification of information contained within applications for admission to (i) pre-school; (ii) primary; and (iii) post-primary school took place in 2013; and to detail the percentage of applications checked in each Education and Library Board area, broken down by each type of school.

**(AQW 23875/11-15)**

**Mr O'Dowd:** In applications for admission to post-primary schools, Education and Library Boards (ELBs) verify claims of entitlement to free school meals. Other than this, responsibility for verification of the information contained within applications for admission to pre-school, primary and post-primary schools lies with the Board of Governors of the individual school or provider. Guidance about this is provided in the Department's Circular 2011/20 which can be viewed on the DE website: [www.deni.gov.uk](http://www.deni.gov.uk). Neither the ELBs, nor the Department of Education carry out a check of the personal information provided in applications.

### Schools: Admissions Procedure

**Mr Kinahan** asked the Minister of Education what action he is taking to ensure that the applications for admission to schools have been checked in time to ensure that the appeals procedure can be followed properly.

**(AQW 23876/11-15)**

**Mr O'Dowd:** The operation of the admissions processes is a matter for the Education and Library Boards and the schools, not the Department. Guidance is provided by the Department to all schools on their duty to verify information with the admission process to ensure the completion of the process within the relevant timescales which will allow for the appeals to be lodged by the due date. The guidance to schools on the duty to verify in the form of DE Circular 2011/20 is on the Department website at [http://www.deni.gov.uk/circular\\_2011.20\\_-\\_guidance\\_on\\_a\\_school\\_s\\_duty\\_to\\_verify\\_information\\_contained\\_within\\_applications\\_for\\_admission\\_\\_pre-school\\_\\_primary\\_\\_\\_post-primary\\_\\_pdf\\_1.27mb.pdf](http://www.deni.gov.uk/circular_2011.20_-_guidance_on_a_school_s_duty_to_verify_information_contained_within_applications_for_admission__pre-school__primary___post-primary__pdf_1.27mb.pdf).

### Education and Training Inspectorate: Complaints

**Lord Morrow** asked the Minister of Education (i) how many complaints the Education and Training Inspectorate (ETI) has received over the last five school years; (ii) to outline the procedure for hearing the complaints; (iii) whether this procedure is independent of the ETI; and (iv) what were the outcomes of these complaints.

**(AQW 23883/11-15)**

**Mr O'Dowd:**

- (i) The number of complaints the Education and Training Inspectorate received in each of the last five school years are as follows:

School year	Complaint
2007/2008	9
2008/2009	2
2009/2010	7
2010/2011	5
2011/2012	2

- (ii) The procedure for complaints (revised in September 2012), is available to the public and can be accessed using the following link: <http://www.etini.gov.uk/Homepage/complaints-procedure.pdf>
- (iii) The ETI complaints procedure has two stages: stage 1, the formal complaint investigation; stage 2, an internal review of the way in which the complaint was investigated at stage 1. Both stages are carried out by an investigating officer who has had no previous involvement with the inspection. If the complainant remains dissatisfied they can refer their complaint to the Assembly Ombudsman.
- (iv) All of these complaints were followed up systematically, in accordance with the procedures outlined in the Inspectorate's Complaints Procedures at that time. None of the complaints investigated was upheld.

### Grammar Schools: Admissions on Appeal

**Mr D Bradley** asked the Minister of Education how many pupils were admitted to a grammar school on appeal in each of the last three years, broken down by school.

**(AQW 23903/11-15)**

**Mr O'Dowd:** I am advised by the Education and Library Boards that the number of pupils admitted to a grammar school on appeal in each of the last 3 years is set out in the tables below:



**2010/11**

<b>Name of School</b>	<b>Admitted on Appeal</b>
Wellington College, Belfast	1
RBAI	2
Victoria College	1
Aquinas GS	1
Mount Lourdes GS, Enniskillen	6
St Michael's GS, Enniskillen	1
Christian Brothers GS, Omagh	1
Foyle & Londonderry College	1
Lumen Christi College	1
Ballyclare High School	3
Coleraine High School	1
Carrickfergus GS	1
Ballymena Academy	1
Dalriada GS	1
Larne GS	1
Bangor GS	1
Sullivan Upper GS	1
Wallace High School	2
Assumption GS, Ballynahinch	1
St Patrick's GS, Downpatrick	2
Our Lady's & St Patrick's College, Knock	1
Banbridge Academy	4
St Colman's College, Newry	2
St Joseph's GS Donaghmore	1
Royal School Armagh	2
St Patrick's GS, Armagh	4
St Patrick's Academy, Dungannon	1
<b>Total</b>	<b>45</b>

**2011/12**

<b>Name of School</b>	<b>Admitted on Appeal</b>
Bloomfield Collegiate, Belfast	1
RBAI	1
Belfast Royal Academy	1
St Dominic's High School	1
St Michael's GS, Enniskillen	1
Christian Brothers GS, Omagh	3
Lumen Christi College	1
Ballyclare High School	1
Larne GS	1
St Mary's GS, Magherafelt	4

Name of School	Admitted on Appeal
Down High School	1
Bangor GS	3
Assumption GS, Ballynahinch	2
St Patrick's GS, Downpatrick	2
Banbridge Academy	1
Abbey GS, Newry	4
St Joseph's GS Donaghmore	1
St Patrick's GS, Armagh	3
<b>Total</b>	<b>32</b>

**2012/13**

Name of School	Admitted on Appeal
Aquinas GS	2
Christian Brothers GS, Omagh	1
Loreto GS, Omagh	1
Lumen Christi College	1
Cambridge House GS, Ballymena	1
St Louis' GS, Ballymena	3
Ballymena Academy	1
Rainey Endowed GS	2
St Mary's GS, Magherafelt	2
Our Lady's & St Patrick's College, Knock	1
Banbridge Academy	5
St Louis' GS, Kilkeel	1
Abbey GS, Newry	1
St Colman's College, Newry	6
St Joseph's GS Donaghmore	2
Sacred Heart GS, Newry	3
Royal School Armagh	1
St Patrick's GS, Armagh	1
<b>Total</b>	<b>35</b>

**Preschools: Staff Qualifications**

**Mr Agnew** asked the Minister of Education (i) what is the minimum standard of education required to work in a pre-school; (ii) how this level of training compares with international best practice; and (iii) what mechanisms are in place to ensure that all staff working in pre-schools are trained to an appropriate standard.

**(AQW 23905/11-15)**

**Mr O'Dowd:**

- (i) The leader of a voluntary or private pre-school setting should have at least a qualification at QCF level 3 or higher in Child Care Learning and Development (CCLD) or equivalent. Fifty percent of the rest of the staff (i.e. assistants) in voluntary and private preschool settings should have at least a QCF level 2 Diploma in CCLD or playwork.
- (ii) The Education and Training Inspectorate (ETI) have advised that the level of training in the north of Ireland is currently lower than international best practice, where leaders are qualified to degree level (level 5). However, under the Minimum Standards for Day Care and Childminding for Children Under Age 12 published in July 2012 by the Department for Health, Social Services and Public Safety, all new leaders in voluntary and private pre-school settings will be required by 2016 to have at least a qualification at of QCF level 5 in CCLD or equivalent.

- (iii) The Health and Social Care Trust are responsible for compliance checks of their minimum standards in voluntary and private pre-school settings. ETI evaluate and report the quality of staffing, leadership and management during inspections.

### GCSE:: Software Programming

**Mr McElduff** asked the Minister of Education whether his Department will consider the merits of introducing Software Programming as a GCSE subject and at an earlier stage in pupil education as part of the curriculum at primary school level. **(AQW 23911/11-15)**

**Mr O'Dowd:** The revised curriculum has been designed to provide flexibility for schools to develop experiences that suit the needs of their pupils. Embedding mandatory, cross curricular skills and keeping prescribed content to a minimum, allows schools to choose the most appropriate approach to take to ensure that pupils are engaged and challenged, to reach their full potential.

Computer Science, which includes software programming, is a specialised field and the flexibility already in place within the revised curriculum, enables schools to teach Computer Science in any Key Stage, including at primary school level, if they feel it appropriate.

At Key Stage 4 (GCSE), the Council for Curriculum Examinations and Assessment (CCEA) will be consulting with schools between September and October 2013 regarding existing and new specifications. One of the proposed qualifications going to consultation will be a GCSE in software systems development which would provide clear progression to a new A level in software systems development that is now available to schools for first teaching from September 2013. In addition, some Awarding Bodies already offer 'Computing' in addition to ICT.

### Special Educational Needs: Key Priorities

**Mr Kinahan** asked the Minister of Education to detail his Department's key priorities and objectives for special educational needs provision for the period 2012-2015. **(AQW 23921/11-15)**

**Mr O'Dowd:** The Department's primary role in supporting all children and young people with special educational needs (SEN) is to provide a robust, inclusive policy framework to enable the individual needs of each child to be met.

This is reflected within Corporate Goal 2 of the Department of Education's Corporate Plan for Education 2012-2015 in which the Department aims to "close the performance gap and increase access and equality."

Within this goal there is one strategic objective relating specifically to special educational needs provision namely:-

*"To finalise and implement a new approach to meeting the needs of children and young people with SEN following the completion of the SEN Review."*

### Special Educational Needs: Strategic Development

**Mr Kinahan** asked the Minister of Education for an update on the Strategic Planning and Policy Development Forum; and how this body has reviewed the requirements of special educational needs schools. **(AQW 23922/11-15)**

**Mr O'Dowd:** The Strategic Planning and Policy Development Forum (known as the Strategic Forum) has been in operation since February 2011 and has met on 10 occasions.

Over the course of that time, the Forum has developed significantly and currently plays an important role in building a consensus across the sector in areas of mutual interest, providing an early opportunity for the Department to engage with many of our key stakeholders on strategic issues.

Initially the Forum examined a range of strategic issues. Three areas were agreed and work streams were established to consider how the Forum could contribute to supporting: Area Based Planning, Raising Standards, and the Education Budget/ Review of the Common Funding Scheme (CFS).

The work streams on Area Based Planning and Raising Standards completed their work in September and December 2012 respectively. The reports produced were considered by the Forum and papers submitted to me as advice for consideration.

The Forum has in place an agreement that no more than three work streams will run concurrently at any one time. In March 2013, given the continued work on the Education Budget/ CFS, the Forum identified two additional issues from the DE Corporate Plan 2012-2015 and new work streams were established on the School Workforce Review and Professional Development and Leadership. Members have nominated representatives from their organisations to participate on the new working groups and these groups have both held an initial meeting.

To date, the requirements of special educational needs schools have not been considered by the Forum. However the Forum will continue to establish work streams as appropriate to progress specific issues as agreed by its members.

## Education: Corporate Plan 2012-15

**Mr Kinahan** asked the Minister of Education for an update on his Departmental objectives as set out in the Corporate Plan for Education 2012-2015.

**(AQW 23923/11-15)**

**Mr O'Dowd:** A review and update of the Corporate Plan for Education 2012-2015 is currently taking place. This will take account of my Department's progress on its business plan commitments and actions contained in its 2012-2013 business plan and involve finalisation of an updated business plan for 2013-14.

The Department has already committed to publishing an end year report on its progress in delivering the actions in its 2012-13 business plan and this will be published shortly.

## Primary Schools: Admissions Criteria

**Mr Kinahan** asked the Minister of Education whether he will review the guidelines for primary school places to allow for flexibility where rural and urban boundaries exist, to ensure that children living in a rural area but close to an urban school are not discriminated against compared to children living in an urban area but further from the school.

**(AQW 23924/11-15)**

**Mr O'Dowd:** The Board of Governors of a school as the admissions authority is responsible for setting the admissions criteria to determine the admission of applicants to the school. The Department has no role in the setting of the admission criteria, other than to provide guidance to schools on the admission process. This guidance is on the Department's website at [www.deni.gov.uk](http://www.deni.gov.uk) and is updated each year. Where a tiebreaker situation exists within any specific criteria, the Department advocates that the school uses age, random alphabetical letters or random selection to determine places, rather than distance which can disadvantage rural applicants.

I have no specific plans to review the guidance from a urban/rural perspective.

## Teachers: Employment

**Mr Clarke** asked the Minister of Education, in light of his announcement in relation to the employment of fully qualified teachers, how the schools will be selected.

**(AQW 23926/11-15)**

**Mr O'Dowd:** I would refer the Member to my answer to AQW 23783/11-15, tabled by Peter Weir MLA and published in the Official Report on 7th June 2013.

## Schools: Formal Intervention

**Mr Weir** asked the Minister of Education to detail the criteria by which a school is (i) placed into; and (ii) removed from, intervention.

**(AQW 23938/11-15)**

**Mr O'Dowd:**

- (i) In circumstances where a school inspection, undertaken by the Education and Training Inspectorate (ETI), finds that, in the areas inspected, the overall quality of education provided is less than satisfactory, i.e. 'inadequate' or 'unsatisfactory', the school will be placed in formal intervention.
- (ii) The process for deciding whether a school should exit the FIP is initiated when a school is evaluated through a follow-up inspection, undertaken by the ETI, as providing a satisfactory or better overall quality of education. In this circumstance, the Department will decide whether the school should exit FIP

There are no set criteria for determining whether a school should exit the FIP rather each case is considered on its individual merits. The Department's decision will take account of the findings of the follow-up inspection report and any other specific issues pertaining to the school that could potentially impact on the school's ability to sustain the level of improvement made or its ability to operate effectively. A key factor in the Department's decision will be whether the pupils' best interests would be served by the school exiting the FIP.

In making its decision the Department will seek the views of the local Education and Library Board and, in the case of schools in the Catholic maintained sector, the CCMS.

The Formal Intervention Process (FIP) was introduced with the launch of Every School a Good School - A Policy for School Improvement at 30 April 2009.

Further details on the FIP can be found in Annex C of this policy which is published on the Department's website and can be accessed via the following link [http://www.deni.gov.uk/esags\\_policy\\_for\\_school\\_improvement\\_-\\_final\\_version\\_05-05-2009.pdf](http://www.deni.gov.uk/esags_policy_for_school_improvement_-_final_version_05-05-2009.pdf)

## Foley Primary School, Armagh

**Mr Allister** asked the Minister of Education whether Foley Primary School, Armagh is a controlled primary school; and if so, whether it is meeting the obligations under Schedule 4 of the Education and Libraries (NI) Order 1986 in respect of transferor representatives.

**(AQW 23945/11-15)**

**Mr O'Dowd:** Foley Primary School is a controlled primary school. The Southern Education & Library Board has confirmed that the Board of Governors of the school is constituted in accordance with Schedule 4 to the Education and Libraries (NI) Order 1986 and that it holds the nomination rights for the four transferor governors.

## Sperrinview Special School: Annual Enrolment

**Lord Morrow** asked the Minister of Education, pursuant to AQW 23623/11-15, and given the rise in annual enrolment at Sperrinview Special School, particularly in the 2012/13 year; (i) what support is being given to ensure that staff and the school can deliver to a high standard for pupils; (ii) what extensions are planned for the building facilities to accommodate increased enrolment; (iii) how many additional staff will be employed and in what capacity; and (iv) by how much will the annual budget increase.

**(AQW 23973/11-15)**

**Mr O'Dowd:** The Southern Education and Library Board has advised as follows:-

- (i) Sperrinview Special School, as with all special schools within the Southern Education and Library Board (SELB), is appropriately resourced, supported and maintained by the board. The school has full access to all board support and corporate services to ensure that it can deliver to a high standard for pupils with special educational needs (SEN). SELB also continues to provide professional support and training to enable the Board of Governors and Principal to meet their statutory duty in relation to the needs of the children and young people at the school.
- (ii) In 2010, approximately 375 square metres of accommodation was added to Sperrinview School providing 2 classrooms, stores, toilets and a life skills social area.

In 2012, a further 224 square metres of accommodation was built to provide a further 2 classrooms and associated stores.

- (iii) For the academic year 2012/13, SELB funded a high level of staffing resources to Sperrinview School to meet the SEN of all pupils. This included 14.6 teachers, including the Principal, plus 832.5 hours of classroom assistance to meet the needs of a projected enrolment of 103 pupils with the flexibility for placement of an additional 16 pupils (excluding Early Years Provision).

For the academic year 2013/14, the Board will fund staffing resources so that Sperrinview have access to 15.6 teachers including the Principal plus 897.5 hours of classroom assistance to meet the SEN of a projected enrolment of 96 pupils with the flexibility for placement of an additional 13 pupils (excluding Early Years Provision). This reflects an increase of 1 full time teacher and 65 hours classroom assistance.

These figures reflect the position as at 8th April 2013.

- (iv) Sperrinview School's delegated budget for 2013/14 has been based on the 2012/13 outturn, excluding ear-marked allocations. The budget for all special schools within SELB has been uplifted from the 2012/13 spend level by 7%. Schools will receive notification of the actual increase in their budget in due course.

The non-delegated budget for the Board's special schools, which includes the pressure for increased staffing costs, incremental staff wage progression and inflation, will increase by approximately 4%. Again, Sperrinview School will be informed of their actual budget in due course.

Any earmarked allocations will be in addition to the delegated monies allocated to Sperrinview School by the Board.

The on-going investment by the Board in both the extensions and increased staffing allocation reflects the Board's commitment to ensuring the school can improve pupil outcomes and deliver a high standard of education for all its pupils.

## Education Bill: Academic Selection

**Mr Kinahan** asked the Minister of Education which clauses in the Education Bill guarantee the continuity of academic selection.

**(AQW 23978/11-15)**

**Mr O'Dowd:** Clauses 3(4) and 34(10) confirm that the Education Bill will not change the existing law on admissions criteria for grant-aided schools. The existing law does not guarantee the continuity of academic selection, but makes its use a matter for decision by individual boards of governors.

## Education Bill: Boards of Governors

**Mr Kinahan** asked the Minister of Education which clauses in the Education Bill include provisions that reserve matters on selection to the Boards of Governors.

**(AQW 23983/11-15)**

**Mr O'Dowd:** Clauses 3(4) and 34(10) confirm that the Education Bill will not change the existing law on admissions criteria for grant-aided schools. The existing law makes the use of academic selection a matter for decision by individual boards of governors.

## Education Bill: Heads of Agreement

**Mr Kinahan** asked the Minister of Education whether the Heads of Agreement is reflected accurately in the Education Bill.

**(AQW 23984/11-15)**

**Mr O'Dowd:** The Education Bill will deliver all of the policy commitments in the Heads of Agreement.

## Schools: Places Unfilled in Newtownabbey, Carrickfergus and Larne

**Mr Ross** asked the Minister of Education to detail the number of unfilled places in (i) Newtownabbey; (ii) Carrickfergus; and (iii) Larne, broken down into (a) nursery, (b) primary and (c) post-primary sectors, in each of the last five years.

**(AQW 24013/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below.

### Unfilled places in nursery schools and nursery classes in primary schools located in selected Local Government District areas 2008-09 – 2012-13

Local Government District	Year				
	2008/09	2009/10	2010/11	2011/12	2012/13
Carrickfergus	0	0	1	2	2
Larne	15	22	16	20	25
Newtownabbey	0	0	8	4	11

### Unfilled places in primary schools (reception – Year 7) located in selected Local Government District areas 2008-09 – 2012-13

Local Government District	Year				
	2008/09	2009/10	2010/11	2011/12	2012/13
Carrickfergus	1090	952	975	870	861
Larne	1011	1031	1033	1045	982
Newtownabbey	2535	2668	2627	2598	2476

### Unfilled places in post-primary schools located in selected Local Government District areas 2008-09 – 2012-13

Local Government District	Year				
	2008/09	2009/10	2010/11	2011/12	2012/13
Carrickfergus	174	203	222	258	326
Larne	802	834	292	282	315
Newtownabbey	828	827	859	981	1073

**Source:** 2012 School Census / School Access Team Data

**Note:** Figures exclude pupils in receipt of a statement of special educational needs and pupils admitted to Year 1 (primary) / Year 8 (post-primary) on appeal and pupils in their first year at a post-primary school following their admission by the direction of the Exceptional Circumstances Body, as they are admitted over and above a school's approved enrolment number. Figures also exclude pupils admitted to a school by a temporary variation to a school's approved enrolment number.

## Teachers: Redundancies

**Mr Kinahan** asked the Minister of Education whether this is the last year for the 90 week scheme regarding teacher redundancies; and what will replace the 90 week scheme.

**(AQW 24041/11-15)**

**Mr O'Dowd:** No decisions have been made as yet regarding teacher redundancies after 31 August 2013, or the level of compensation for the future.

### Teachers: Redundancies

**Mr Kinahan** asked the Minister of Education when he will make decisions on teacher redundancies; and to outline his plans for the future.

**(AQW 24042/11-15)**

**Mr O'Dowd:** No decisions have been made as yet regarding teacher redundancies after 31 August 2013, or the level of compensation for the future.

### Free School Meals: Eligible Pupils

**Ms McCorley** asked the Minister of Education to detail the percentage of (i) primary; and (ii) post-primary school pupils who are eligible for free school meals, broken down by sector.

**(AQW 24071/11-15)**

**Mr O'Dowd:** The information requested is provided in the table below.

#### Percentage of pupils entitled to free school meals in primary and post-primary schools, by school management type, 2012-13

Management type	% pupils entitled to Free school meals	
	Primary	Post-primary
Controlled	26.8	16.9
Catholic Maintained	33.3	32.2
Other Maintained	44.6	39.4
Controlled Integrated	31.2	24.0
Grant Maintained Integrated	25.1	25.6
Voluntary - Other managed	0.9	4.6
Voluntary - Catholic managed	n.a.	10.3
<b>Total</b>	<b>29.9</b>	<b>19.0</b>

**Source:** School census.

### Foyleview Special School, Derry

**Mr Durkan** asked the Minister of Education what steps his Department is taking to ensure the retention of a nurse at Foyleview Special School in Derry.

**(AQW 24072/11-15)**

**Mr O'Dowd:** The Western Education and Library Board has advised that it currently has funding earmarked for this post. The Western Health and Social Care Trust is actively seeking to recruit a nurse for Foyleview Special School to replace the present post-holder who has been appointed to a position elsewhere.

The school is fully aware of the situation and arrangements are in place for the current post-holder to remain at Foyleview until 30 June 2013.

### Primary Schools: Rural/Urban Attendance

**Mr Gardiner** asked the Minister of Education how many pupils attend (i) rural; and (ii) urban primary schools in each Education and Library Board area.

**(AQW 24152/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below.

#### Pupils attending urban and rural primary schools, by Education and Library Board area, 2012/13

ELB	Rural	Urban	Total
Belfast	-	25,043	25,043
Western	12,642	16,614	29,256

ELB	Rural	Urban	Total
North Eastern	15,011	22,689	37,700
South Eastern	9,811	25,890	35,701
Southern	19,918	20,416	40,334
<b>Total</b>	<b>57,382</b>	<b>110,652</b>	<b>168,034</b>

**Source:** School census

**Note:**

- 1 Figures include children in nursery, reception and Year 1 – 7 classes.
- 2 Figures relate to school location.
- 3 Classification of urban and rural areas is as set out in the report of the Inter-Departmental Group on Statistical Classification and delineation of Settlements (February 2005). <http://www.nisra.gov.uk/demography/default.asp26.htm>

A school level breakdown of enrolments for urban and rural schools can be found by following the link below to our website.

[http://www.deni.gov.uk/index/facts-and-figures-new/education-statistics/32\\_statistics\\_and\\_research-numbersofschoolsandpupils\\_pg/32\\_statistics\\_and\\_research-schoolleveldata\\_pg/statistics\\_and\\_research-school\\_enrolment\\_1213-2.htm](http://www.deni.gov.uk/index/facts-and-figures-new/education-statistics/32_statistics_and_research-numbersofschoolsandpupils_pg/32_statistics_and_research-schoolleveldata_pg/statistics_and_research-school_enrolment_1213-2.htm)

## Department for Employment and Learning

### Teachers: Graduate Employment

**Mr Ross** asked the Minister for Employment and Learning to detail the number of graduates from Initial Teacher Education Colleges who have obtained employment in (i) Northern Ireland; (ii) Great Britain; (iii) Republic of Ireland; (iv) within the European Union; and (v) outside the European Union.

**(AQW 23424/11-15)**

**Dr Farry (The Minister for Employment and Learning):** In 2010/11, 590 students graduated from Initial Teacher Training courses at Northern Ireland Higher Education Institutions. Of these, 495 responded to the Destinations of Leavers from Higher Education Survey which showed that 430 were in some type of employment, with 395 working in teaching positions according to their Social and Occupational Classification.

The breakdown by location of employment is shown in the table overleaf.

Of those employed as teaching professionals in Northern Ireland, 35 were in permanent or open-ended contracts.

Of the teaching professionals employed in locations other than Northern Ireland, 20 were in permanent or open-ended contracts.

Location of Employment	Teaching Professionals by Type of Employment				Not employed in Teaching	Total in Employment
	Permanent or open-ended contract	Fixed-term contracts	Temporary Contract/ other	Total Teaching Professionals		
(i) Northern Ireland	35	145	155	330	30	360
(ii) GB	20	15	0	35	0	35
(iii) Republic of Ireland	0	5	5	10	0	15
(iv) Other European Union	0	10	0	15	0	15
(v) Non-European Union	0	5	0	5	0	5
<b>Total</b>	<b>55</b>	<b>180</b>	<b>160</b>	<b>395</b>	<b>35</b>	<b>430</b>

**Source:** Destinations of Leavers from Higher Education Survey 2010/11 (HESA)

**Notes:**

- 1) Figures in individual cells have been rounded to the nearest 5. Due to rounding the sum of rows or columns may not match the totals shown.
- 2) The latest available data on destinations are for 2010/11.



## Apprenticeships: Government-funded Schemes

**Mr Flanagan** asked the Minister for Employment and Learning for a breakdown of the top twenty five organisations in terms of (i) the number of people each organisation has employed; (ii) the number of people employed as part of a government funded scheme; and (iii) how much funding each has received in through the various schemes.

**(AQW 23494/11-15)**

**Dr Farry:**

### Item (i)

I would advise that my Department does not hold information regarding the number of people employed in organisations.

### Item (ii)

Annex A provides a brief background on the two relevant programmes offered by my Department.

Annex B provides information on the current number of apprentices in each of the twenty five organisations, in descending order of number employed.

Annex C provides information on the current number of young people employed through the Youth Employment Scheme employer subsidy.

### Item (iii)

In relation to ApprenticeshipsNI, my Department contracts with 43 training suppliers across Northern Ireland for the delivery of the programme. All funding in this respect is payable directly to suppliers and cannot be attributed to individual employers.

Annex C provides information on Youth Employment Scheme subsidy payments to date and the full subsidy entitlement.

I trust that you will find this response helpful.

## Annex A

### ApprenticeshipsNI.

ApprenticeshipsNI provides an opportunity for those already in or about to take up employment the opportunity to follow an apprenticeship in their chosen occupation. This programme is delivered by training suppliers who are contracted by my Department and who work in partnership with employers across Northern Ireland to deliver a wide variety of apprenticeships.

Funding is paid in respect of individuals participating in training and is dependant on their age and the apprenticeship framework that they are following. Participants aged between 16 and 24 years will attract full funding for the 'off the job' element of the training whilst those aged 25 and over will attract 50% of the amount provided they are following one of the specified frameworks within the defined priority economic sectors.

Under ApprenticeshipsNI employers are paid an incentive, through their partnering training supplier. This is paid on the successful completion of the individual's apprenticeship, can range from £250 - £1500, and is dependent on the apprenticeship being followed.

### Youth Employment Scheme Northern Ireland

The focus of the Youth Employment Scheme is early intervention for young people aged 18 to 24 years. The aim of this intervention is to help this group gain work experience, develop additional skills and to achieve recognised relevant qualifications needed by those sectors that have the potential for future growth in the economy.

The Northern Ireland Executive has committed to investing £31 million in this scheme over the next 3 years and the aim is to deliver 13,100 work experience and training opportunities during this period. If successful the Youth Employment Offer will make a significant contribution to both reducing youth unemployment and rebuilding and rebalancing the economy in line with the Northern Ireland Executive's Programme for Government Priorities.

This is a voluntary scheme for young people and it is offered through local Jobs and Benefits Offices operated by the Department for Employment and Learning (DEL) in Northern Ireland.

For 18 to 24 year old benefit claimants DEL has put the following additional measures in place from the point of claim:

- (A) skills audit;
- (B) work experience;
- (C) skills assessment;
- (D) Skills Development Programme; and
- (E) employment opportunities.

Employers that offer full time jobs to young people in the jobs growth sectors are able to avail of an enhanced employer subsidy of £5,000 a year as follows for each eligible client:

- £500 on the completion of the first 4 weeks of employment for each employee working an average of 30 hours per week or more (including time spent training);
- A further 12 payments of £375 for each subsequent 4 week period for each employee working an average of 30 hours per week or more (including time spent training).

A requirement of the subsidy is that employers provide training to allow the young people to develop their skills and gain relevant qualification while in employment. Up to an additional £750 for each employee receiving agreed formal training, leading towards a recognised certified qualification is payable.

## Annex B

### ApprenticeshipsNI

Employer	Current number of apprentices
Bombardier	177
First Source Solutions	130
Teleperformance	119
Wrightbus	107
Glen Caring	85
Rutledge	85
Wincanton	76
Coca Cola	71
LBM	59
Hastings Group / Europe Hotel	58
Northern Ireland Electricity (NIE)	57
M Care	52
FSHC	52
Primecare	46
Linwoods	45
Tayto	38
Dunbia	36
Santander	35
B & M Bargains	34
Galgorm Resort and Spa	33
North West Care	33
Homecare NI	33
KFC	31
Poundland	30
Subway	30

**Note:** Training Suppliers are required to record employer details however it must be emphasised that this information may be incomplete.

## Annex C

### Youth Employment Scheme (YES)

Employer	Number employed via YES Enhanced Employer Subsidy	Payment to Date	Full Subsidy Entitlement
Around a Pound	6	0	£34,500

Employer	Number employed via YES Enhanced Employer Subsidy	Payment to Date	Full Subsidy Entitlement
Fix-A-Gym	5	0	£28,750
Chatterbox Publications	5	£4575	£28,750
Mullins Ice Cream Ltd	4	0	£23,000
Cubis	4	0	£23,000
Stauff UK LTD	4	0	£23,000
Urban Forest	4	0	£23,000
UTV Media PLC	4	0	£23,000
WASP Solutions	4	£6725	£23,000
Apple Blossom Bakery	3	0	£17,250
Cosy Stoves	3	0	£17,250
VAG Spares & Repairs	3	0	£17,250
City Hotel	3	£7475	£17,250
Exotic Aquatics	3	0	£17,250
Hamilton Gas Products	3	0	£17,250
1 Stop Data	3	£4475	£17,250
All Clear Environmental	3	0	£17,250
Refound 1	3	0	£17,250
ICMA	2	£2612.50	£11,500
Mc Cleary & Co	2	£1400	£11,500
FOIS LTD	2	0	£11,500
French Village Bakery	2	£1775	£11,500
Frying Squad	2	0	£11,500
HML (Homeloan Management LTD)	2	0	£11,500
Irish Inns	2	0	£11,500

### Students: Blue Badge Parking Spaces

**Mr G Robinson** asked the Minister for Employment and Learning to outline the policy in place that ensures the provision of guaranteed parking spaces for third level education students with severe mobility difficulties at Further Education Colleges. (AQW 23568/11-15)

**Dr Farry:** There is no policy in place to guarantee parking spaces for third level education students with severe mobility difficulties at Further Education Colleges. The colleges provide car parking at their Main Campus premises and a number of these are designated for use by people with disabilities. These spaces are allocated on a first come first served basis and require the driver to display a blue badge permit.

### Dignity at Work: DEL Cases

**Mr Spratt** asked the Minister for Employment and Learning how many Dignity at Work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved. (AQW 23576/11-15)

**Dr Farry:** Part (i) The number of cases that have been lodged in the Department for Employment and Learning in each of the last five years is set out in Table 1. The number that have been resolved are set out in Table 2.

**Table 1: Number of Dignity at Work cases that have been lodged**

Year	Cases lodged
2008/09	1

Year	Cases lodged
2009/10	3
2010/11	6
2011/12	9
2012/13	9
<b>Total</b>	<b>28</b>

**Table 2 Number of Dignity at Work cases that have been resolved**

Year	Cases resolved
2008/09	1
2009/10	3
2010/11	6
2011/12	7
2012/13	5
<b>Total</b>	<b>22</b>

The details of the 6 cases which remain ongoing, including the year that the cases were lodged are set out in Table 3.

**Table 3 Details of cases which are currently ongoing.**

Year	Stage		
	Prelim Decision Stage	Investigation Stage	2nd Appeal
2011/12		1	1
2012/13	1	2	1
<b>Total</b>	<b>1</b>	<b>3</b>	<b>2</b>

Part (II) The Department's NDPBs are: Construction Industry Training Board (CITB), the Labour Relations Agency (LRA), Ulster Supported Employment Limited (USEL), Stranmillis University College and Northern Ireland's Further Education (FE) Colleges.

3 of these NDPBs have had no Dignity at Work cases in this timeframe. These are USEL, CITB and the LRA.

Stranmillis University College and the FE Colleges have had Dignity at Work complaints lodged. The details of these are set out in tables 4 – 6 below.

**Table 4: Number of Dignity at Work cases that have been lodged with Stranmillis University College in the past 5 years**

Year	Cases lodged
2012/13	0
2011/12	0
2010/11	1
2009/10	2
2008/09	0
<b>Total</b>	<b>3</b>

All 3cases have been resolved

**Table 5: Number of Dignity at Work cases that have been received per FE College**

FE College	2008/09	2009/10	2010/11	2011/12	2012/13
Belfast Metropolitan College (BMC)	5	3	1	0	0
Northern Regional College (NRC)	2	3	5	3	2

FE College	2008/09	2009/10	2010/11	2011/12	2012/13
North West Regional College (NWRC)	2	1	1	3	0
South Eastern Regional College (SERC)	2	2	5	3	4
Southern Regional College (SRC)	0	0	0	1	0
South West College (SWC)	1	1	0	0	0
<b>Total</b>	<b>12</b>	<b>10</b>	<b>12</b>	<b>10</b>	<b>6</b>

**Table 6: No. of Dignity at Work cases that have been resolved**

FE College	2008/09	2009/10	2010/11	2011/12	2012/13
Belfast Metropolitan College (BMC)	5	3	1	0	0
Northern Regional College (NRC)	2	3	5	3	2
North West Regional College (NWRC)	2	1	1	3	0
South Eastern Regional College (SERC)	2	2	5	3	2
Southern Regional College (SRC)	0	0	0	1	0
South West College (SWC)	1	1	0	0	0
<b>Total</b>	<b>12</b>	<b>10</b>	<b>12</b>	<b>10</b>	<b>4</b>

The 2 cases across all FE colleges which remain ongoing are in the South Eastern Regional College and were lodged in 2012/13.

### Postgraduate Certificate in Education

**Mr Clarke** asked the Minister for Employment and Learning to detail the number of graduates that (i) have qualified for; (ii) applied and were successful in obtaining; and (iii) applied and were unsuccessful in obtaining a Postgraduate Certificate in Education course, in each of the last five years.

**(AQW 23675/11-15)**

**Dr Farry:** Whilst my Department is responsible for the funding and administration of Initial Teacher Education (ITE), the Minister for Education is responsible for deciding the number of students who will be admitted to ITE courses, including the Postgraduate Certificate in Education course.

I should also point out that while the Department of Education sets the minimum entry requirements needed for entry to ITE courses, individual providers may seek qualifications over and above these, especially at a time when many ITE courses are oversubscribed.

My Department has provided information in respect of part (i) detailing the number of graduates who have obtained a Postgraduate Certificate in Education, in each of the last five years. This information can be found at Annex A.

It was necessary to contact each of the Institutions in respect of parts (ii) and (iii) as this information is not held by my Department. Details of the responses received from each institution are attached at Annex B.

#### Annex A

Information in respect of (i) the number of graduates that have obtained a Postgraduate Certificate in Education Course in each of the last five years

#### Number of PGCE Qualifiers from NI Higher Education Institutions 2007/08 to 2011/12

Year	Qualifiers
2007/08	360
2008/09	310
2009/10	315
2010/11	340
2011/12	345

**Source:** HESA

**Notes:-** Figures are rounded to the nearest 5

**Annex B**

Information received from each Higher Education Institution in relation to the number of graduates that (ii) applied and were successful in obtaining; and (iii) applied and were unsuccessful in obtaining a Postgraduate Certificate in Education course, in each of the last five years.

**Information received from Stranmillis College**

Year	Number of Places available	Number who applied	Number who were successful	Number who were unsuccessful
2012	15	157	15	142
2011	15	162	15	147
2010	15	207	15	192
2009	15	181	15	166
2008	15	161	15	146

**Information received from Queen's University Belfast**

Year	Total no. of applications (inc. lates)	No. of successful applications	No. of unsuccessful applications
2008/09	516	165*	351
2009/10	603	168**	435
2010/11	724	173	551
2011/12	659	175*	484
2012/13	560	138	422

\* includes 1 international student

\*\* includes 2 international students

**Information received from University of Ulster**

Pgce Programmes 2008 -2013					
Programme	2008	2009	2010	2011	2012
Primary - applications	494	582	766	618	567
Primary - successful	39	42	38	39	28
Primary - unsuccessful	455	540	728	579	539
History - applications	80	99	141	110	136
History - successful	15	9	14	12	
History - unsuccessful	65	90	127	98	
Geography - applications	48	55	85	80	80
Geography - successful	12	10	13	12	
Geography - unsuccessful	36	45	72	68	
Eng, Med/Dra - applications	83	105	129	117	118
Eng,Med/Dra - successful	12	13	11	13	
Eng, Med/Dra Unsuccessful	71	92	118	104	
PE - applications	133	152	162	149	170
PE - successful	23	20	23	24	
PE - unsuccessful	110	132	139	125	
Tech & Design - applications	21	38	50	62	38
Tech & Design - successful	6	10	10	10	

Pgce Programmes 2008 -2013					
Programme	2008	2009	2010	2011	2012
Tech & Design - unsuccessful	15	28	40	52	
Art & design - applications	62	68	95	80	94
Art & Design - successful	12	10	11	11	
Art & design - unsuccessful	50	58	84	69	
Music - applications	34	23	37	37	35
Music - successful	11	10	11	11	
Music - unsuccessful	23	13	26	26	
Home Econs - applications	37	48	67	66	54
Home Econs - successful	15	12	12	11	
Home Econs - unsuccessful	22	36	55	55	

#### Information received from St Mary's College

In relation to (iii) the number of graduates applying for PGCE places we do not have a record of this. St Mary's graduates may apply to PGCE courses independently and to anywhere in the UK. This is not recorded in the student record system.

In relation to (ii) the number of graduates proceeding to PGCE courses, the figures obtained via the First Destination survey are as follows:

2008 Graduates	13
2009 Graduates	12
2010 Graduates	16
2011 Graduates	14
2012 Graduates	31

#### Information received from Open University

	2007/ 2008	2008/ 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	Total
Successful	17	19	16	20	18	6	96
Active Applications (as at 04/06/13 could be registered)						7	7
Unsuccessful	26	25	25	12	13	1	102
<b>Total</b>	<b>43</b>	<b>44</b>	<b>41</b>	<b>32</b>	<b>31</b>	<b>14</b>	<b>205</b>

#### Boost Programme: Rural Communities

**Mr Frew** asked the Minister for Employment and Learning how her Department is promoting the Boost Scheme in rural communities.

**(AQW 23730/11-15)**

**Dr Farry:** The Boost Programme is a rural youth employability project which is managed by Advantage NI and funded under Priority 1 of the Northern Ireland European Social Fund Programme 2007 – 2013. The project was offered funding over the period 1 April 2011 to 31 March 2014 of £234,841 from the European Social Fund and £146,775 from the Department for Employment and Learning.

The Department for Employment and Learning's Employment Service entered into an agreement with Advantage NI that provides the Boost Programme with access to rural Jobs & Benefits Offices and Jobcentres in order to promote the Boost Programme as an addition to the range of mainstream support available to help young people find work.

## Northern Regional College: Coleraine Campus

**Mr Campbell** asked the Minister for Employment and Learning what representations have been made from users and members of the public on the suitability and condition of the building at the Northern Regional College, Coleraine Campus, in the last three years.

**(AQW 23863/11-15)**

**Dr Farry:** No representations have been made from users or members of the public on the suitability and condition of the building at the Northern Regional College, Coleraine Campus, in the last three years.

## Apprenticeships: Placements

**Mr Weir** asked the Minister for Employment and Learning to outline the steps that his Department is taking to monitor and ensure that students completing apprenticeships through Further Education Colleges, are provided with placements that will equip them with the skills needed to achieve the relevant qualification.

**(AQW 23893/11-15)**

**Dr Farry:** The ApprenticeshipsNI Programme is an employment based programme, open to those that have reached school leaving age, who are entering or are already in employment, and contracted to work a minimum of 21 hours per week.

As apprentices are employed there is no separate requirement for work placements.

Work placements form part of the Programme Led Apprenticeship Programme. An important aspect of this programme is that participants have the opportunity to work towards the relevant NVQ element of the apprenticeship framework through an employer placement which complements and builds on the occupational skills acquired in directed training and simulated working environment.

Programme Led Apprenticeships Operational Guidelines are explicit about what is expected of all Suppliers and participants in terms of programme content and procedures (including work placements).

The Department's Quality and Performance Branch monitors all contracted Training Suppliers, including Further Education Colleges, to ensure compliance with all of the Operational Guidelines requirements.

In cases where any non compliance has been identified the Training Supplier will be cautioned and Quality and Performance Branch will continue to monitor the Supplier on an ongoing basis to ensure that there is no repetition of the practices involved.

Continual failure by Suppliers to source placements to equip learners with the skills required could result in the Supplier losing this service from their contract.

## Postgraduate Funding

**Mr B McCrea** asked the Minister for Employment and Learning, pursuant to AQW 23006/11-15, whether the amount of funding matches the increased number of postgraduate places and courses.

**(AQW 23901/11-15)**

**Dr Farry:** I am fully committed to doubling the number of postgraduate courses my Department funds to 1,000 places by 2020, as contained in the Higher Education Strategy.

On 6 December 2012, I announced that I have already secured additional new funding for 300 of these places through the Jobs and Economy Initiative and through the Higher Education Strategy. This funding will be used to increase the number of postgraduate places from 495 to 795 by 2015/16.

## Apprenticeships: Sickness Guidelines

**Mr Frew** asked the Minister for Employment and Learning for his assessment of the guidelines for Programme Led Apprenticeships, in particular (i) 4.4 Interrupted Training; and (ii) 4.6 Sickness, in that they discriminate against people with sickness but allow for persons with custodial sentences or who are pregnant to continue their training at a later stage.

**(AQW 24015/11-15)**

**Dr Farry:** The Programme Led Apprenticeships Operational Guidelines are explicit about what is expected of all Suppliers and participants in terms of programme content and procedures.

An Interruption to Training is used to protect the balance of training time where a period of training is interrupted due to pregnancy, custodial sentence, or care order. This facility ensures that the participant can re-enter Programme-Led Apprenticeships, following an enforced interruption, and continue to receive the balance of training time remaining (even if they are over 18 years old).

Any sickness absence related to a participant's disability and evidenced by the participant's GP must be disregarded when aggregating a participant's sick record. However, participants should be withdrawn from training at the end of six weeks continuous absence to safe guard against reducing further the balance of training due and affect the participant's ability to complete the relevant components of Programme-Led Apprenticeships.



In circumstances where a participant has been withdrawn from training because of extended sickness, they are also given the opportunity to return to training when they have recovered and continue to receive the balance of training time remaining (even if they are over 18 years old).

The Guidelines also state that suspected abuse of self-certification arrangements must be investigated and, if necessary, the disciplinary procedures as outlined in the guidance may be invoked.

I am satisfied that my Department aims to ensure fair and inclusive delivery of all its programmes including Programme Led Apprenticeships.

### **Apprenticeships: Sickness Guidelines**

**Mr Frew** asked the Minister for Employment and Learning what is the policy used by training providers when people on Programme Led Apprenticeships have reached their allowance of fifteen days absence due to sickness but remain unwell and have an unfit for work certificate from their GP.

**(AQW 24017/11-15)**

**Dr Farry:** The policy as set out in the Programme-Led Apprenticeship Guidelines, as it relates to the above question, is as follows;

*"Where a participant has been continuously absent for three weeks, the participant must be withdrawn from Programme-Led Apprenticeships. However, where a participant has been continuously absent for three weeks, a fourth week may be approved and EMA paid, provided it is clear that the participant will return to training the following week. Should the participant not return, the participant must be withdrawn from Programme-Led Apprenticeships."*  
Para. 4.6 (iv) and;

*"In circumstances where a participant has been withdrawn from training because of extended sickness, the young person must be given the opportunity to return to training when they have recovered. The Supplier must complete PLA 8 and forward to the mailbox of their local Careers Office, prior to re-entry, in order for a Training Credit to be issued for the balance of time, even if over 18 years of age (i.e. the period from the participant's start date, less the period for which the participant has received payment of EMA prior to withdrawal)." Para 4.6 (v)*

The reason for withdrawal from training in the above circumstances is to protect the participant's balance of training.

All Training Suppliers are issued with copies of the Operational Guidelines and any subsequent memos which may be issued from time to time. I hope that the above information clarifies the position in relation to the question that you have raised.

### **Teacher Education Infrastructure**

**Mr Swann** asked the Minister for Employment and Learning, pursuant to AQW 23551/11-15, whether the two companies that submitted proposals for the second tender had been approached by a member of staff from his Department to do so.

**(AQW 24095/11-15)**

**Dr Farry:** No member of staff from my Department approached any company in relation to the second tender for stage one of the Study of the Teacher Education Infrastructure in Northern Ireland.

## **Department of Enterprise, Trade and Investment**

### **Economic Development: Indigenous Business**

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment how she plans to work with the Department of Jobs, Enterprise and Innovation to develop indigenous business.

**(AQW 22535/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Indigenous businesses in Northern Ireland and the Republic of Ireland both face similar challenges relating to the increasing pace and intensity of global competition. In such an intense environment, every source of competitive advantage must be considered and exploited. To this end, officials from my Department and Invest Northern Ireland continue to meet with their Irish counterparts on a formal basis through North South Inter-Agency Group. The DETI Permanent Secretary, Invest NI Chief Executive and the Secretary General of the Department of Jobs, Enterprise, and Innovation attend these meetings, as do senior officials from InterTrade Ireland and Enterprise Ireland. Meeting agendas cover a wide range of economic development related issues ensuring that any opportunities for mutually beneficial activity and engagement are explored in full. One such example of where this approach has been very successful has been in the implementation of the Innovation Voucher Scheme on an all-island basis.

## Investment Conference

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 22468/11-14, to detail (i) the date of each discussion; (ii) who was in attendance at each; (iii) the outcome of each discussion; and (iv) the date on which she first raised the matter of the investment conference planned for Autumn 2013.

**(AQW 22752/11-15)**

**Mrs Foster:** Discussions about a possible investment conference are continuing and an announcement will be made in due course. Until then there is nothing I can usefully add to my previous answer.

## Foreign Direct Investment

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment to provide a list of all businesses that are operating in as a result of Foreign Direct Investment in the last three years, and to plot these businesses on a regional map, colour coding each business according to its sector.

**(AQW 23103/11-15)**

**Mrs Foster:** During the period 1st April 2010 and 31st March 2013, Invest NI offered support to 235 externally-owned businesses to establish and/or further develop their business within Northern Ireland.

The names of 11 businesses have been withheld as they are exempt under Freedom of Information legislation (Section 22 [1]). Under this legislation Invest NI is exempt from disclosing information on projects planned to be publicly announced at some future date (whether determined or not) subject to a public interest test.

Therefore, the list in Table 1 comprises 224 businesses, which have been presented in alphabetical order.

**Table 1: Externally owned Businesses Offered Support by Invest NI (2010-11 to 2012-13)**

### Name

■ A B P Newry	■ Bulrush Horticulture Limited	■ CVS Caremark NI IT Operations Center Ltd.
■ ABF Grain Products Limited	■ Cambridge Silicon Radio Ltd	■ CyberSource Corporation
■ Acorn Wood Mouldings Limited	■ CampaignFlo Ltd	■ D&M Audiovisual Ltd
■ ADS Group Limited	■ Canyon Europe Limited	■ Dairy Produce Packers Limited
■ Aepona Limited	■ Capita Managed IT Solutions Limited	■ Datactics Limited
■ Alclarus Ltd	■ Castle Hume Leisure Limited	■ Deloitte LLP
■ All Metal Services Limited	■ Caterpillar (NI) Limited	■ Delwyn Enterprises Limited
■ Allen & Overy LLP	■ CEI Collins Engineers Limited	■ Derryadd Pallets Ltd
■ Allstate Northern Ireland Limited	■ Celerion GB Limited	■ DHL Global Forwarding (UK) Limited
■ Amt-Sybex (NI) Limited	■ Centro, Inc.	■ Diageo Global Supply IBC Limited
■ Andor Technology Plc	■ Century TV (NI) Ltd	■ DLLNI Limited
■ Anglo Beef Processing	■ Chesapeake Belfast Limited	■ Dow Chemical Company Limited
■ Aromet Group Limited	■ Ciena Limited	■ Du Pont (U.K.) Industrial Limited
■ Assa Abloy Limited	■ CIS Oncology Limited	■ Edina Manufacturing Limited
■ Atlantic Marine Services	■ Citibank International PLC	■ Electro Automation (N.I.) Limited
■ Audio Processing Technology Limited	■ CME Technology and Support Services Limited	■ EMC Information Systems International
■ Augentius Fund Administration LLP	■ Colorite Europe Limited	■ Entropic Communications Inc.
■ Aura Healthcare Limited	■ Comtek Network Systems (UK) Limited	■ Equiniti ICS Limited
■ AVX Limited	■ Concentrix Technologies Limited	■ European Space Propulsion Limited
■ Awayonbiz Limited	■ Controlled Electronic Management Systems Limited	■ Eurotrack Systems Limited
■ AXA Insurance Limited	■ Cooked Meat Solutions Ltd	■ ExamTime Limited
■ Axiom Global Limited	■ Copeland Limited	■ Fabplus Limited
■ B & W Software Enterprises Limited	■ Corus Service Centre Limited	■ Fidessa PLC
■ B/E Aerospace (UK) Limited	■ Cowen International Limited	■ Firstsource Solutions UK Limited
■ Barclays Bank PLC	■ Crane Stockham Valve Limited	■ Food Investments Limited
■ Belfast City Airport Limited	■ Creation Consumer Finance Limited	■ Forsythe Pendleton Jones LTD.
■ Biancamed (UK) Limited	■ Crescent Diagnostics Ltd	■ Forth & Foyle (Erection Services) Limited
■ Brenntag UK Limited	■ Cross Refrigeration (N.I.) Limited	■ Fugro-BKS Limited
■ Bridgedale Outdoor Limited	■ Crossbows Optical Limited	
■ Broadsoft International, Inc.		

- Fujitsu Telecommunications Europe Limited
- Gaelectric Developments Limited
- Gallaher Ltd
- Glanbia Cheese Limited
- Glen Electric Limited
- Global Trust Certification (UK)
- Golden Cow Dairies Limited
- Good4U Food and Drink Co. Limited
- Goudsmit Magnetics (UK) Ltd
- Harland and Wolff Heavy Industries Limited
- HCL BPO Services (NI) Limited
- Heartsine Technologies Limited
- Herbert Smith Freehills LLP
- Heritage Administration Services Limited
- Hilton UK Hotels Limited
- Homeloan Management Limited
- Howden UK Limited
- Huhtamaki (Lurgan) Limited
- Icemos Technology Limited
- Impact Ireland (Metals N.I.) Limited
- Inlifesize Ltd
- Integrc UK Ltd
- Interface Europe Ltd
- International House Belfast Limited
- International Synergies Limited
- Intune Networks Limited
- IP Watch T/A Keepatabonit Limited
- Irish Manufacturing Services Limited
- Jakaya Limited
- Jam Media (Northern Ireland) Limited
- Jordan Plastics Limited
- JP Corry (NI) Limited
- JSSC
- Jurys Inns
- Justis Publishing Limited
- Kallsafe Limited
- Kana Software Limited
- Karro Food Limited
- Kelsius Limited
- Kerry Foods Enniskillen
- KERRY GROUP PLC
- Kestrel Thermo-Plastics Limited
- Kilkeel Seafoods Limited
- Kingspan Environmental Limited
- Kingspan Renewables Limited
- Kofax Northern Ireland Limited
- L.E. Pritchitt & Company Limited
- Lagan Technologies Limited
- LBM Direct Marketing Limited
- Lektronix (Ireland) Limited
- Liberty Information Technology Limited
- Lockton Companies LLP
- M/A-COM Technology Solutions (UK) Limited
- Mabbett & Associates Limited
- Magdalene Limited
- Masters Choice Limited
- Mediasmiths International Limited
- Mediclim Europe Ltd
- Mercer Limited
- Merchant Warehouse (NI) LTD
- Mercury Engineering Ltd
- Micro Focus Limited
- MITIE Security Limited
- Montupet (U.K.) Limited
- Morson Projects Limited
- Moy Park Limited
- Mulmuf (Northern Ireland) Limited
- N.L. Rubber Limited
- Nacco Materials Handling Limited
- NC. UK Services Limited
- New Breed Logistics, Inc
- Nicobrand Limited
- Northstone (NI) Limited
- Nutech Renewables Limited
- NYSE Technologies Development Ltd
- Obelisk Networks (UK) Limited
- Olenick Global Ltd
- One Stop Data Limited
- Openwave Systems Limited
- Oracle ATG
- Organic Fertilisers Ltd
- Oxford Consulting (N.I.) Limited
- Pace PLC
- Parity Digital Solutions Limited
- Pharmalink Consulting Operations Ltd
- Polaris Software Lab Limited
- Premier Foods Group Limited
- PricewaterhouseCoopers LLP
- Project Zebra Limited
- Ready Egg Products Limited
- Realtime Associates Limited
- Reduction Plastics Ltd
- Regal Processors Limited
- Research for Good Inc
- RFD Beaufort Limited
- Rigney Dolphin Limited
- RIIS LLC
- RLA Group Limited
- RLC (UK) Limited
- ROC Recycling Solutions (N.I.) Limited
- Ross Boyd Limited
- Ryobi Aluminium Casting (UK) Limited
- Sandvik Construction Mobile Crushers and Screens Limited
- Sanheath Limited
- Schiedel Chimney Systems Ltd
- Schlumberger Oilfield UK Plc
- Schrader Electronics Limited
- Seagate Technology (Ireland)
- Seagoe Technologies Limited
- Short Brothers PLC
- Siansplan Limited
- SiSaf Ltd
- Sloane Helicopters (Sales) Limited
- Smurfit Kappa UK Ltd
- Softedge Systems (NI) Limited
- Springvale EPS Limited
- SQS Group Limited
- SSE Renewables
- Tayto Group Limited
- Tennants Textile Colours Limited
- Tern Television Productions Limited
- Tesab Engineering Limited
- Thales Air Defence Limited
- The Belleek Pottery, Limited
- The Old Bushmills Distillery Company Limited
- The Paul Hogarth Company Limited
- Thomond Underwriting Limited
- Thyssenkrupp Aerospace UK Ltd
- TMC Dairies (N.I.) Limited
- Vector Environmental Services Limited
- Venn Life Sciences UK Limited
- Version 1 Software Limited
- WANdisco International Ltd
- Webtech (N.I.) Limited
- Western Brand Poultry Products (NI) Ltd
- WFS Technologies Limited
- Zenith Hygiene Systems Limited

A map showing the locations of these businesses, colour-coded according to its sector, has been placed in the library.

## Craigavon Borough Council

**Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 1338/11, (i) what monies have been recouped from Craigavon Borough Council; (ii) when the money was recouped; and (iii) the detail the reasons for any outstanding amount.

**(AQW 23566/11-15)**

**Mrs Foster:** At this stage no monies have been recouped from Craigavon Borough Council. The matter is not yet resolved but the Department and Craigavon Borough Council continue to work together to resolve the issue.

## Invest NI: Economies of Agglomeration

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment whether InvestNI considers economies of agglomeration when seeking to attract foreign direct investment.

**(AQW 23577/11-15)**

**Mrs Foster:** Invest NI is aware of the potential pull and benefits that can be generated by economies of agglomeration. Invest NI's overseas sales network initially sells Northern Ireland as an attractive FDI location by highlighting existing investors and sectoral clusters already operating in Northern Ireland.

As part of a potential investor's visit programme Invest NI aims to include meetings with existing international investors within the same sector across the locations the company is interested in. In doing so these visit programmes provide potential investors with an opportunity to hear first hand testimony of experiences of doing business in Northern Ireland, which reinforces the Northern Ireland proposition.

It is important to clarify that location decisions for inward investment visits must clearly showcase Northern Ireland's capability to meet the company's needs. Potential investors will focus on the availability of skilled labour, suitable property and infrastructure requirements, along with existing clusters of companies in their business sector. Areas that cannot demonstrate this are unlikely to be the focus of inward investment visits and further inward investment.

## Tourism: Foyle Cup

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment whether she plans to include the Foyle Cup as one of the ten major events to be supported through Tourism Priorities for Action.

**(AQW 23628/11-15)**

**Mrs Foster:** The Northern Ireland Tourist Board (NITB) has supported the Foyle Cup this year and in previous years through the National Tourism Events Fund with total assistance provided over the last 2 years of £30,000. The Northern Ireland Executive provided £40,000 in financial assistance for the 2011 event.

DETI is in the process of developing an Events Plan for 2014 – 2020 which will consider how best to support events in Northern Ireland and how to grow our events industry.

I understand that no support is currently being offered from either Sport NI or the Irish Football Association, even though the event provides the opportunity for young local players from Northern Ireland to play against international teams.

It is my view that Sport NI could adopt a more proactive approach in promoting and assisting sporting events such as the Foyle Cup.

## Jobs Fund: Tourism Sector

**Mr McKay** asked the Minister of Enterprise, Trade and Investment how she will ensure that there will be an increase in the number of tourism related jobs created via the Jobs Fund.

**(AQW 23633/11-15)**

**Mrs Foster:** The Jobs Fund supports employment creation projects from across the business base and across many sectors and industries including tourism.

Invest NI will continue to assess all funding applications on a case by case basis and will structure its support to provide the optimal package that is most appropriate to the business' needs, which delivers maximum economic benefit for Northern Ireland and best value for money for the public purse. For tourism accommodation projects support may be best delivered through Invest NI's Tourism Development Scheme. Invest NI will ensure that the Jobs Fund is utilized to provide support where appropriate.

## Jobs Fund: Tourism Sector

**Mr McKay** asked the Minister of Enterprise, Trade and Investment why more jobs have not been created in the tourism sector via the Jobs Fund.

**(AQW 23634/11-15)**

**Mrs Foster:** Invest NI's remit includes the provision of financial support towards tourism accommodation projects which typically comprise the construction of new or expansion of existing accommodation facilities. Whilst there may be job creation

associated with these projects, these tend to be capital intensive and Invest NI's Tourism Development Scheme is the most effective and therefore most frequently used scheme to support these projects.

The Jobs Fund has been specifically designed as a direct response to the global economic downturn in order to tackle our high unemployment by creating new jobs and helping to rebuild our local economy.

The Jobs Fund supports employment creation projects from across the business base and across many sectors and industries including tourism.

The Jobs Fund continues to be widely promoted and applications from all sectors, including those with a tourism focus will continue to be considered for support as and when these are received. Invest NI will continue to assess all applications on a case by case basis and will structure its support to provide the optimal package that is most appropriate to the business' needs and which delivers maximum economic benefit for Northern Ireland and best value for money for the public purse.

### Dignity at Work: DETI Cases

**Mr Spratt** asked the Minister of Enterprise, Trade and Investment how many Dignity at Work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been resolved.

**(AQW 23646/11-15)**

**Mrs Foster:**

#### Dignity at Work cases lodged in DETI & Non-departmental public body (NDPB) in the last five years

Department/ NDPB		2008/09	2009/10	2010/11	2011/12	2012/13
DETI	No. of Cases Lodged			1	2	
HSENI (NDPB)	No. of Cases Lodged					1
NITB (NDPB)	No. of Cases Lodged					1
InvestNI (NDPB)	No. of Cases Lodged	1		3	1	4
GCCNI (NDPB)	No. of Cases Lodged					

All cases have been resolved apart from one received in the 2012/13 year which is currently ongoing.

### Energy Costs

**Mr Easton** asked the Minister of Enterprise, Trade and Investment what assistance her Department can provide to businesses to help meet their energy costs.

**(AQW 23666/11-15)**

**Mrs Foster:** Invest NI provides a range of support for businesses to assist with the management of energy costs and for the deployment of renewable energy to help reduce operating costs. This support includes technical advice, free energy efficiency audits, action plans and project management support to help businesses to implement the most cost effective cost saving opportunities.

Invest NI also provides funding for the Energy Efficiency Loan Fund in Northern Ireland which is managed and delivered by Carbon Trust. The Loan Fund offers interest-free loans from £3,000 - £400,000 to Northern Ireland businesses to help them install more energy efficient equipment.

Invest NI and Manufacturing NI have recently launched a guide to encourage companies to improve energy efficiency and consider adopting renewable energy technologies. 'Energy Independence' has been developed by Manufacturing NI and Carbon Trust with funding from Invest NI to provide advice and information on reducing the cost of energy consumption through on-site generation of electricity or heat from renewable sources.

Invest NI will consider providing Selective Financial Assistance to Large Energy Users that bring forward proposals for capital expenditure on equipment that will make a significant impact on energy efficiency.

In addition my Department incentivises Renewable electricity through the Northern Ireland Renewables Obligation (NIRO) which provides a revenue stream for electricity generated over a 20 year period in the form of Renewables Obligation Certificates (ROCs). A wide range of technologies are supported through this incentive mechanism.

A Renewable Heat Incentive is also in place for non-domestic installations which provides a tariff payment based on the size and type of technology over a 20 year period. Technologies supported include solar thermal, biomass boilers and ground source heat pumps.

### **Giro d'Italia 2014**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment to outline what discussions her Department has had to date with the organisers of the Giro d'Italia 2014 regarding the inclusion of the Mourne area in the route.

**(AQW 23701/11-15)**

**Mrs Foster:** I would refer the member to the reply I gave to Priority AQW 23022/11-15.

The Northern Ireland Tourist Board has established a group to engage with local authorities. This group met for the first time on 11 April 2013 with a number of local authorities involved.

This local authority group will meet again once the route is decided and will have a key role in delivering on the range of opportunities that the event will provide locally.

### **Giro d'Italia 2014**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 23022/11-15, whether local authorities from the Mourne area participated in the group established by the Northern Ireland Tourist Board to help them harness the potential benefits from the Giro d'Italia 2014.

**(AQW 23702/11-15)**

**Mrs Foster:** I can confirm that Down District Council and Newry & Mourne District Council participated.

### **Foreign Direct Investment: Smartphone Application**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 22706/11-15, to detail (i) what engagement her Department has had to date with Down District Council in regard to the Foreign Direct Investment smartphone application; and (ii) whether Down District Council submitted a proposition for the Down area.

**(AQW 23704/11-15)**

**Mrs Foster:** Invest NI is committed to helping Councils develop international investment propositions for their areas. With this in mind, Invest NI has consulted with Down District Council on being included in a joint Invest NI/Council initiative that will provide for development of a mobile application to promote Council areas in external markets. The proposed project is being considered for funding under the Local Economic Development measure of the European Sustainable Competitiveness Programme for Northern Ireland.

Down District Council has advised that it wishes to be included in this joint initiative and Invest NI will advise Councils of the outcome of the funding decision which is due in the coming weeks.

The above proposal includes provision for funding towards the development of appropriate content for the mobile application. Councils may therefore develop an appropriate proposition for their area, input the information to the application and update as required.

### **Small Business Loan Fund**

**Mr Spratt** asked the Minister of Enterprise, Trade and Investment how many businesses have availed of the Small Business Loan Fund scheme since its launch.

**(AQW 23708/11-15)**

**Mrs Foster:** Since the launch of the Small Business Loan Fund on the 11 February 2013, there have been 473 enquiries to the fund managers, 67 applications have been received and 9 loans have been approved as at 31st May 2013.

### **Tourism: Bilingual Signage**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what meetings the Northern Ireland Tourist Board has had with groups which are supportive of bilingual tourism signage and to outline what concerns were raised.

**(AQW 23714/11-15)**

**Mrs Foster:** The detailed information sought is not readily available and may only be obtained at disproportionate cost to the Northern Ireland Tourist Board.

### **Tourism: Bilingual Signage**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline the evidence that the Northern Ireland Tourist Board has that bilingual signage would be subject to possible defacing as stated in its response to the Department for Regional Development consultation on road signage.

**(AQW 23715/11-15)**

**Mrs Foster:** The Northern Ireland Tourist Board's comments were made in reference to content in the DRD Consultation documents regarding on-going difficulties with signage defacing where political sensitivities exist.

## Strategic Environmental Assessment

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment to detail the Strategic Energy Assessment that was completed when the 40 per cent of energy to come from renewable sources target was set.

**(AQW 23729/11-15)**

**Mrs Foster:** I am not aware of the term Strategic Energy Assessment but I am assuming that the member is referring to a Strategic Environmental Assessment (SEA).

When the 40% target for renewable electricity was set, SEAs of both the OffShore Renewable Energy Strategic Action Plan (ORESAP) and the Onshore Renewable Electricity Strategic Action Plan (OREAP) were underway. The ORESAP SEA was commissioned in 2008 and the OREAP SEA was commissioned in 2009. All documents associated with each SEA can be viewed at [www.offshoreenergyini.co.uk](http://www.offshoreenergyini.co.uk) and [www.onshorerenewablesni.co.uk](http://www.onshorerenewablesni.co.uk).

## Tourism: Bilingual Signage

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline how the Northern Ireland Tourist Board sought evidence or commissioned research to establish the possible economic and tourism value of bilingual tourism signage.

**(AQW 23755/11-15)**

**Mrs Foster:** The Northern Ireland Tourist Board has not commissioned research to establish the possible economic and tourism value of bilingual tourism signage.

## Tourism: Irish Signage

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline how the Northern Ireland Tourist Board and her Department are encouraging the use of place names in Irish.

**(AQW 23756/11-15)**

**Mrs Foster:** It is not the role of the Northern Ireland Tourist Board or the Department of Enterprise, Trade and Investment to encourage the use of place names in Irish.

## Tourism: Signage Policy

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether the Northern Ireland Tourist Board has screened its tourism signage policy for equality, and if not, when it plans to do so.

**(AQW 23757/11-15)**

**Mrs Foster:** The Tourist Signing in Northern Ireland Policy (16 April 2004) was jointly agreed between Roads Service and the Northern Ireland Tourist Board.

The Policy was equality screened by Roads Service.

## Tourism: Bilingual Signage

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline why a departmental direction was issued to the Northern Ireland Tourist Board on 13 September 2012 proposing that it does not formalise a policy on bilingual tourism signage.

**(AQW 23758/11-15)**

**Mrs Foster:** A Departmental direction was not issued to NITB on this matter.

## Invest NI: Financial Support

**Mr Weir** asked the Minister of Enterprise, Trade and Investment to detail the number of businesses in North Down that have benefited from financial support from InvestNI, in each of the last three years.

**(AQW 23786/11-15)**

**Mrs Foster:** In North Down, Invest NI offered financial support to 37 businesses in 2010-11, 67 in 2011-12 and 73 in 2012-13. It should be noted that not all assisted businesses receive financial support. A further 12 businesses were offered support and guidance through Invest NI's various business development schemes during the 3 year period.

In addition, 112 local start up businesses in 2010-11, 80 in 2011-12 and 41 in 2012-13 were offered advice and guidance through business start support.

## Tourism: Signage Policy

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline what Ministerial direction was given to the Northern Ireland Tourist Board on 11 January 2011 in relation to tourism signage.

**(AQW 23808/11-15)**

**Mrs Foster:** A Ministerial Direction was not given to the Northern Ireland Tourist Board on this issue.

### Tourism: Accommodation Demand

**Mr Swann** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 19984/11-15, to detail (i) when she expects the consultation on future tourist accommodation demand to commence; (ii) whether the consultation will be carried out by external consultants, and if so, if these been tendered; (iii) if the Oxford Economics research on Forecasting Tourism Accommodation Demand will form part of the consultation process; and (iv) why the results of this research would not be made available to other Departments to assist in the delivery of strategic priorities.

**(AQW 23812/11-15)**

**Mrs Foster:** DETI intends to carry out a consultation exercise later this year, which will gather views to help inform future accommodation policy.

It is anticipated that evidence from a wide range of sources, including research undertaken by Oxford Economics, will form the consultation process.

The Oxford Economics' research was commissioned for internal use only, with a view to contributing to the evidence base for the development of future accommodation policy which will, in turn, inform other relevant Departments and Bodies.

### Wind Turbines: Third-party Claims

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment whether liability for third party claims caused by wind turbines will be against the landowner or the wind turbine operator .

**(AQW 23822/11-15)**

**Mrs Foster:** The issue of liability insurance is a matter between the landowner and the turbine operator, who, in some cases, will be one and the same. My Department has no role in this process. However, it is my understanding that it is common practice for the wind turbine operator to take responsibility for all aspects of insurance, including public liability.

### Wind Turbines: Health and Safety

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment what steps she will take to address health and safety issues associated with the operation of wind turbines including (i) ice throw; (ii) turbine collapse; (iii) turbine fires; (iv) blade fragmentation; and (v) risks to hill walkers, farming personnel, livestock and birds.

**(AQW 23825/11-15)**

**Mrs Foster:** Ice throw, turbine collapse, turbine fires and blade fragmentation have all been known to occur on wind turbines used around the world and could potentially place hill walkers, farming personnel, livestock and birds at risk.

The Health and Safety Executive for Northern Ireland (the body responsible for safety regulation in the wind turbine industry) believes that these risks are low for wind turbines sited in compliance with planning requirements and constructed, operated and maintained in accordance with British and European Standards and Industry guidance.

Consequently there are no plans for HSENI to take any actions over and above its general regulatory activity within the whole of the electrical supply industry.

### Broadband: Greencastle and Broughderg

**Mr McElduff** asked the Minister of Enterprise, Trade and Investment how her Department will deliver further progress in providing a broadband connection to the communities of Greencastle and Broughderg, County Tyrone, over the next twelve months.

**(AQW 23912/11-15)**

**Mrs Foster:** Broadband services are presently available to constituents in Broughderg and Greencastle and include options of a fixed-wireless broadband service of 10Mbps-100Mbps or a satellite broadband service of up to 20Mbps.

Looking forward, under DETI's Telecommunications Action Plan 2011-2015, a new Broadband Improvement Project has been initiated. This project aims to ensure that, by 2015, virtually all premises in Northern Ireland are able to avail of a broadband download speed of at least 2Mbps, and at least 90% of premises are provided with superfast broadband, with speeds in excess of 24Mbps.

The proposed intervention area is currently being assessed to comply with State Aid rules. A procurement process will commence shortly and it will be for the industry to respond with proposals on the roll out of services across Northern Ireland.

### Retail: Online/High Street

**Mr Gardiner** asked the Minister of Enterprise, Trade and Investment for an update on action to commission market research on the short and long-term negative effects of on-line retailing on high street retailers.

**(AQO 4251/11-15)**

**Mrs Foster:** My Department is not undertaking any market research on the short and long-term negative effects of on-line retailing on high street retailers.



## Department of the Environment

### Minerals: Applications/Enforcement Cases

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 14244/11-15 and AQW 20926/11-15, whether the review of minerals applications and Environmental Impact Assessment screening, carried out by Strategic Planning Division's Minerals Team and assisted by the Development Management Guidance Team, included reviews of recently approved minerals applications and minerals enforcement cases.

**(AQW 22043/11-15)**

**Mr Attwood (The Minister of the Environment):** In my response to AQW 14244/11-15, I had indicated that there would be an immediate review of all current and recently approved minerals applications as well as a range of enforcement cases (minerals and unauthorised waste).

### Drumlee Road, Kilcoo: R/2008/0164/CA

**Mr Wells** asked the Minister of the Environment why no enforcement action was taken by the Southern Area Planning Office regarding case number R/2008/0164/CA.

**(AQW 22334/11-15)**

**Mr Attwood:** In July 2008, the Downpatrick Area Planning Office commenced an enforcement investigation into an alleged unauthorised building on lands at Drumlee Road, Kilcoo. The investigation was undertaken in response to complaints received at that time.

The investigation established that the building had been erected in 2 phases, the first in 2001 and the second (an extension) in 2004. I am advised by my officials that the first phase of the building became immune from enforcement action in 2005, 3 years before the Area Office received a complaint. The legal time frame for taking enforcement action in this case was 4 years – the 5 year period for the enforcement of planning control came into effect in December 2011.

As far as the extension is concerned, I am advised it became immune from enforcement action in 2008, before the findings of the enforcement investigation had been established. Enforcement action would not have been taken in respect of the extension, as its impact on public amenity – particularly in the context of the larger original building – was not considered to warrant such action.

### Sprucefield: Planning Appeal

**Mr Givan** asked the Minister of the Environment when he will bring forward a paper to the Executive on the Retail Planning Policy related to the retail development status of Sprucefield.

**(AQW 22532/11-15)**

**Mr Attwood:** I have lodged, in the Assembly Library, a copy of the full submission made by my Department to the now abandoned Planning Appeals Commission hearing on Sprucefield. This includes consideration of the Retail Strategy. It is an extensive, detailed document and it merits reading. The member may wish to study the papers which give a full picture of all the considerations which were relevant to this matter.

Members know, Executive business is confidential. However, in order to be helpful, I was asked by the Executive and provided information to the Executive in relation to retail policy advice provided to the now abandoned enquiry.

### Sprucefield: Planning Appeal

**Mr Givan** asked the Minister of the Environment why he is yet to provide a substantive response to Lisburn City Council's correspondence relating to his statement of intention to the Planning Appeals Commission on the planning conditions associated with Sprucefield retail development.[R]

**(AQW 22537/11-15)**

**Mr Attwood:** I have lodged a copy of the full submission by my Department to the now abandoned PAC hearing on Sprucefield (including advice on the retail element of the Belfast Metropolitan Area Plan) in the Assembly library. I believe it would inform discussion and fulfil the requirements of disclosure for others who made/were due to make submissions to the PAC hearing and who were also to publish their submissions. I remain convinced that the advice I provided was faithful to planning policy and the Regional Development Strategy (2035), informed by present economic and retail circumstances and the right approach for retail and all the town and city centres within 60 minutes driving distance of Sprucefield (including Lisburn City Centre).

I have also now written to the Council and their legal representatives. I believe the Council should consider the submission detailed above.

## Employment: People with Special Needs

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 21701/11-15, whether he will request that councils provide the exact figures for placements.

**(AQW 22639/11-15)**

**Mr Attwood:** The Department does not hold this information. As indicated in my response to AQW 22948/11-15, I am writing to all chief executives asking for information on council practices in this regard. I will respond substantively to this question as soon as it has been possible to collate the council responses.

## Vehicles: Registered in Northern Ireland

**Mrs Dobson** asked the Minister of the Environment to list the number of vehicles registered, broken down by the year of first registration.

**(AQW 22949/11-15)**

**Mr Attwood:** The latest licensed vehicles figures are detailed in Table 1 below.

### Vehicles licensed in Northern Ireland at 31 December 2012, by year of first registration

Year of First Registration	Vehicles Licensed
2012	95,343
2011	87,513
2010	88,409
2009	84,555
2008	86,381
2007	99,648
2006	87,347
2005	77,339
2004	69,991
2003	63,849
2002	56,302
2001	45,630
2000	33,986
1999	23,589
1998	15,535
1997	9,611
1996	6,032
1995	4,038
1994	2,686
1993	1,923
1992	1,250
1991	1,079
1990	1,043
1989	800
1988	731
1987	624
1986	664
1985	866
1984	747
1983	659

Year of First Registration	Vehicles Licensed
1982	559
Pre-1982	11,599
All Vehicles licensed at 31 December 2012	1,060,328

1 Excludes unlicensed vehicles and vehicles with a Statutory Off Road Notice in force.

This information was published as DOE Official Statistics on 23 May 2013, in the DVA Compendium of Key Statistics 2012/13. Figures were sourced from the DVA annual vehicle census at 31 December 2012.

### MOT: Pre-1960 Exemptions

**Mr Girvan** asked the Minister of the Environment what impact his decision to exempt pre-1960 historic vehicles from the MOT test will have on (i) insurance claims; and (ii) calls for the abolition of the MOT test for all vehicles.

**(AQW 23154/11-15)**

**Mr Attwood:**

- (i) My decision to exempt pre-1960 historic vehicles from the MOT test is unlikely to have any impact on insurance claims or insurance premiums.

The Association of British Insurers, in response to the Historic Vehicles MOT Review Consultation conducted by the Department for Transport in Britain, indicated that it would not expect an immediate impact on insurance premiums simply from a change in the MOT requirement of itself. Any change would depend, all other factors being equal, on whether insurers noticed any change in the claims experience of these vehicles. If this were noted, then ABI would expect to see premiums rise.

Historic car enthusiasts are well known for keeping their vehicles in excellent condition. Vehicles used on public roads are in any case required to comply with all relevant aspects of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 and the Road Vehicles Lighting Regulations (Northern Ireland) 2000, which include the requirement to maintain vehicles being used on the road in a roadworthy condition, with failure to do so being an offence. The periodic MOT test is an element, but only an element, in measures to ensure compliance by vehicle keepers with these statutory requirements.

I have provided access to owners of pre-1960 vehicles to an MOT test on a voluntary basis, should owners require this for any reason (which might include prior to a sale, for a cherished plate transfer, or for reasons connected with insurance requirements from particular insurers).

- (ii) European Directive 2009/40/EC on roadworthiness tests for motor vehicles and their trailers included a provision permitting Member States to exclude from the scope of the Directive vehicles which are never, or hardly ever, used on public highways, including vehicles of historic interest which were manufactured before 1 January 1960 or which are temporarily withdrawn from circulation.

There are no plans to abolish the MOT test for other vehicles. The provisions for periodic testing of vehicles are set down in European Directives. As you will be aware from my answers to other Assembly Questions, the European Commission and European Parliament are minded to strengthen rather than relax test requirements, most recently through the proposed Roadworthiness Package, about which I and others (including the Assembly Environment Committee) have made strong representations where the proposals go beyond what I consider are required for road safety purposes.

### Quarry and Aggregate Sites: Compliance Visits

**Mr McGlone** asked the Minister of the Environment to list the compliance inspection visits that the (i) Northern Ireland Environment Agency Water Management Unit; (ii) Planning Service; and (iii) Industrial Pollution and Radiochemical Inspectorate made to quarry and aggregate sites in (a) 2011; and (b) 2012.

**(AQW 23159/11-15)**

**Mr Attwood:** The issue of compliance visits and enforcement visits is intrinsically linked, therefore information on both aspects of the regulation of quarry and aggregate sites have been included below.

The Industrial Pollution and Radiochemical Inspectorate regulates emissions to air from quarries where crushing and screening of minerals is carried out. There are currently 143 such installations permitted under the Pollution Prevention and Control Regulations (Northern Ireland) 2003.

In the compliance year 2011/12 a total of 264 mineral compliance assessments (inspections) were carried out and in the compliance year 2012/13 a total of 225 mineral compliance assessments (inspections) were carried out.

NIEA Water Management Unit (WMU) regulate such sites under the Water (Northern Ireland) Order 1999, it is an offence to discharge trade or sewage effluent to waterways or to water in underground strata without the consent of the DOE.

WMU administers a system of discharge consents which lay down conditions relating to the quality and quantity of effluent that may be discharged. Failure to comply with the conditions of a discharge consent is an offence under the Water Order and, if a discharge is non-compliant, appropriate action is taken by NIEA, depending on compliance history and/or the severity of the breach of consent and its effect on the environment.

Once a discharge consent has been issued, compliance assessment monitoring is normally carried out where the consent permits a maximum daily discharge of 5 cubic metres or more, or where the consent relates to significant site drainage discharges, such as those for the aggregate sector. This approach to sampling has been adopted to target resources in a cost effective way at those discharges which, because of their volume or composition, have the greatest pollution potential.

Compliance monitoring normally includes the routine collection of samples, or visual inspections, or both. All consent holders are obliged to ensure that the sample point for their discharge is maintained so that it is freely available and accessible to authorised officers of the Department at all times; and authorised officers of the Department are at all times allowed to readily and safely obtain a sample of the effluent, a measurement of the flow and images of the discharge or other data relative to the discharge.

These conditions are fundamental to the sampling and inspection programme as consent holders are not told in advance when sampling will take place.

Discharges from sites in the aggregate sector are monitored 4 times per year. There are currently 120 sites sampled in line with the conditions of their consent which equates to 480 compliance visits per year.

There are 124 deemed abstraction licences, for quarry sites, issued under the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006.

NIEA seeks to work co-operatively with industry to secure improved practice, but acknowledges that enforcement action will need to be taken in some cases to ensure compliance. Any enforcement action taken is in accordance with the NIEA Enforcement and Prosecution Policy for Environmental Protection. Under this policy, NIEA endeavours to be;

- consistent and impartial;
- proportionate in its actions; and
- transparent in its activities.

NIEA undertakes advisory visits where less significant breaches have occurred or where a site is in danger of non compliance. For more significant breaches a warning letter or formal notice can be issued. For persistent non compliance or for the most significant breaches an evidence file will be prepared with a view to taking a prosecution against the offender.

The Department of the Environment's (DOE) Planning Division, upon receiving a complaint regarding a breach of planning control opens a case to investigate. The site in each case is inspected to substantiate a breach. If a warning or other request is issued by the Department, the site may be inspected again for compliance with that request and in the event that a final warning is issued a further inspection may take place.

Should an Enforcement or other Notice be issued, several site inspections may take place to monitor compliance with that Notice. There are of course cases which dictate that more or less frequent inspections are carried out depending on the impacts of the breach and as such visits can in cases be carried out daily for up to 28 days.

As a minimum each case receives one inspection and an average of 3 visits may be expected for the majority of cases.

Given the large number of sites, regulated under a number of regulatory regimes, and the proactive and informal nature of advisory visits, the majority of which help the site stay or return to compliance, in addition to formal visits related to more robust enforcement action and sites visits in relation to reports of alleged pollution incidents, received through NIEA's pollution hotline, it would not be feasible to compile a composite list of all such visits. However detailed information on specific sites can be provided upon request.

## Quarry and Aggregate Sites: Enforcement Visits

**Mr McGlone** asked the Minister of the Environment to list the enforcement visits that the (i) Northern Ireland Environment Agency Water Management Unit; (ii) Planning Service; and (iii) Industrial Pollution and Radiochemical Inspectorate made to quarry and aggregates sites in (a) 2011; and (b) 2012.

**(AQW 23161/11-15)**

**Mr Attwood:** The issue of compliance visits and enforcement visits is intrinsically linked, therefore information on both aspects of the regulation of quarry and aggregate sites have been included below.

The Industrial Pollution and Radiochemical Inspectorate regulates emissions to air from quarries where crushing and screening of minerals is carried out. There are currently 143 such installations permitted under the Pollution Prevention and Control Regulations (Northern Ireland) 2003.

In the compliance year 2011/12 a total of 264 mineral compliance assessments (inspections) were carried out and in the compliance year 2012/13 a total of 225 mineral compliance assessments (inspections) were carried out.

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Once a discharge consent has been issued, compliance assessment monitoring is normally carried out where the consent permits a maximum daily discharge of 5 cubic metres or more, or where the consent relates to significant site drainage discharges, such as those for the aggregate sector. This approach to sampling has been adopted to target resources in a cost effective way at those discharges which, because of their volume or composition, have the greatest pollution potential.

Compliance monitoring normally includes the routine collection of samples, or visual inspections, or both. All consent holders are obliged to ensure that the sample point for their discharge is maintained so that it is freely available and accessible to authorised officers of the Department at all times; and authorised officers of the Department are at all times allowed to readily and safely obtain a sample of the effluent, a measurement of the flow and images of the discharge or other data relative to the discharge.

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- proportionate in its actions; and
- transparent in its activities.

NIEA undertakes advisory visits where less significant breaches have occurred or where a site is in danger of non compliance. For more significant breaches a warning letter or formal notice can be issued. For persistent non compliance or for the most significant breaches an evidence file will be prepared with a view to taking a prosecution against the offender.

The Department of the Environment's (DOE) Planning Division, upon receiving a complaint regarding a breach of planning control opens a case to investigate. The site in each case is inspected to substantiate a breach. If a warning or other request is issued by the Department, the site may be inspected again for compliance with that request and in the event that a final warning is issued a further inspection may take place.

Should an Enforcement or other Notice be issued, several site inspections may take place to monitor compliance with that Notice. There are of course cases which dictate that more or less frequent inspections are carried out depending on the impacts of the breach and as such visits can in cases be carried out daily for up to 28 days.

As a minimum each case receives one inspection and an average of 3 visits may be expected for the majority of cases.

Given the large number of sites, regulated under a number of regulatory regimes, and the proactive and informal nature of advisory visits, the majority of which help the site stay or return to compliance, in addition to formal visits related to more robust enforcement action and sites visits in relation to reports of alleged pollution incidents, received through NIEA's pollution hotline, it would not be feasible to compile a composite list of all such visits. However detailed information on specific sites can be provided upon request.

## **Vehicles: Unlicensed**

**Mrs Dobson** asked the Minister of the Environment how many reports of unlicensed vehicles have been received by the Driver Vehicle Agency by (i) telephone; and (ii) its online reporting facility, in each of the last twelve months.  
**(AQW 23276/11-15)**

**Mr Attwood:** The Driver & Vehicle Agency (DVA) accepts reports of unlicensed vehicles from members of the public by post, telephone or online, however, the majority are received via the online reporting facility.

In the period 1 May 2012 to 30 April 2013, DVA received 1,033 reports from members of the public for Northern Ireland registered vehicles. Of these 1,033 reports, 410 vehicles were found to be currently licensed and no further action was required.

DVA records all such reports on the computer system as 'Public Detections' and cannot provide a further breakdown according to method of receipt.

The table below provides overall totals for each of the last twelve months.

Month	Volume
May 2012	68
June 2012	99
July 2012	118
August 2012	120
September 2012	120
October 2012	73
November 2012	53
December 2012	43
January 2013	110
February 2013	66
March 2013	86
April 2013	77
<b>Total</b>	<b>1,033</b>

### Hydroelectric Scheme: Applications

Mr Ó hOisín asked the Minister of the Environment how many hydro-electric scheme applications have been (i) approved; and (ii) refused to date; and how many are in the planning system.

(AQW 23408/11-15)

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner. As Minister I am fully supportive of renewable energy and believe firmly in the contribution that renewables make to the economy.

Table 1 below provides a breakdown by LGD of those applications granted or refused permission over the last 9 years.

**Table 1 – Decisions Issued for Hydroelectric schemes by LGD up to 31 March 2013\***

		2003/ 2004	2005/ 2006	2006/ 2007	2007/ 2008	2008/ 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	Total
Antrim	Permission Granted	0	0	1	0	0	0	0	0	1	2
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Ards	Permission Granted	0	1	0	0	0	0	0	0	0	1
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Armagh	Permission Granted	0	0	0	0	0	1	0	1	0	2
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Ballymena	Permission Granted	0	0	0	0	0	0	0	1	1	2
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Banbridge	Permission Granted	0	0	0	0	0	0	0	0	1	1
	Permission Refused	0	0	0	0	0	0	0	0	0	0

		2003/ 2004	2005/ 2006	2006/ 2007	2007/ 2008	2008/ 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	Total
Belfast	Permission Granted	0	0	1	0	0	0	0	0	0	1
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Coleraine	Permission Granted	1	0	0	0	0	0	0	4	2	7
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Cookstown	Permission Granted	0	0	0	0	0	0	0	1	2	3
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Derry	Permission Granted	0	0	0	0	0	0	0	0	0	0
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Down	Permission Granted	0	0	0	1	0	1	0	1	0	3
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Dungannon and South Tyrone	Permission Granted	0	0	0	0	0	0	0	0	1	1
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Fermanagh	Permission Granted	0	0	0	0	0	0	0	0	1	1
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Larne	Permission Granted	0	0	1	0	0	1	2	0	0	4
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Limavady	Permission Granted	0	0	0	0	0	2	0	1	4	7
	Permission Refused	0	0	0	0	0	1	0	0	0	1
Magherafelt	Permission Granted	0	0	0	0	0	0	0	0	1	1
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Moyle	Permission Granted	0	0	0	1	1	1	1	0	1	5
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Newry And Mourne	Permission Granted	0	0	0	0	0	0	0	0	0	0
	Permission Refused	0	1	0	0	0	0	0	0	0	1

		2003/ 2004	2005/ 2006	2006/ 2007	2007/ 2008	2008/ 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	Total
Newtownabbey	Permission Granted	0	0	0	0	0	0	1	0	1	2
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Omagh	Permission Granted	0	0	0	1	0	0	1	0	0	2
	Permission Refused	0	0	0	0	0	0	0	0	0	0
Strabane	Permission Granted	0	0	0	1	0	0	0	0	1	2
	Permission refused	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>Permission Granted</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>6</b>	<b>5</b>	<b>9</b>	<b>17</b>	<b>47</b>
	<b>Permission Refused</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>

\*Please note up to 31st March 2013 is our latest published renewable energy information, which is published on the internet.

Across DOE Planning since 2003/04, 47 applications have been granted, 2 have been refused and 7 have been withdrawn. In addition, there are currently 35 applications for hydroelectric schemes currently pending with the Department. A breakdown by LGD is shown in Table 2 below;

**Table 2 – Applications pending as at 31st March 2013**

	Total
Antrim	2
Ballymoney	2
Banbridge	2
Coleraine	1
Cookstown	1
Craigavon	1
Derry	5
Larne	1
Limavady	6
Magherafelt	3
Moyle	4
Newry And Mourne	1
Newtownabbey	1
Omagh	1
Strabane	4
<b>Total</b>	<b>35</b>

I will continue to monitor performance within each area office to ensure that applications are processed in a timely manner.

### PPS 21: CTY 10

**Mr McCallister** asked the Minister of the Environment whether, since the publication of PPS 21 in its current form, he has given instructions to Planning Service Divisional offices which change the application of CTY 10, so that in situations where



the applicant land owner rents his land out, planning permission will only be granted under the tenant's farm business ID and not the land owner's.

**(AQW 23412/11-15)**

**Mr Attwood:** Policy CTY10 of Planning Policy Statement (PPS) 21 'Sustainable Development in Countryside' states that permission will be granted for a dwelling house on a farm where all of the following criteria are met: the farm business is currently active and has been established for at least 6 years; no dwellings or development opportunities out-with settlements limits have been sold off from the farm holding within 10 years from the date of the application; and the new building is visually linked or sited to cluster with an established group of buildings on the farm.

I can advise that I have not given any instruction to planning staff indicating that planning permission will only be granted under the tenant's farm business ID and not the land owner's.

An applicant who may lease out some or all of his land, but who is nonetheless responsible for maintaining it in good agricultural and environmental condition, can still benefit from a dwelling under CTY10, subject to being able to satisfy the other requirements of the policy.

A key issue to be considered under CTY10 is whether there is an active and established business for 6 years. Any subsequent planning permission would be tied to the business rather than the individual person and permission granted under this policy will only be forthcoming once every 10 years.

The Department is aware that there will be a range of different scenarios to consider under this policy in terms of full and part time farmers and those who let land in conacre. DOE Planning therefore take all relevant factors into account in order to arrive at a balanced decision based on the facts of each case.

Notwithstanding, you may be aware that PPS21 is subject to a rolling review into the operation of the policy in order to ensure both consistency and increased flexibility of decision-making in line with the content and substance of the existing policy and I intend to make a statement to the Assembly on the outcome of the review to date.

### **Ballymena Borough Council: DDA Placements**

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 22435/11-15 and given that Ballymena Borough Council has confirmed that it does employ and provide placements within these criteria, why it cannot provide a figure of their current employees and placements.

**(AQW 23452/11-15)**

**Mr Attwood:** Ballymena Borough Council has advised that two placements are currently filled.

The council further advises 12 members of staff would meet the recognised definition of disability under the Disability Discrimination Act.

I trust it will be reassuring to the Member to know I will be writing to all Chief Executives seeking an assurance that their council's employment policies comply fully with the relevant legislation.

### **Councils: Disabled Staff**

**Lord Morrow** asked the Minister of the Environment, for each of the last five years, to detail the number of staff in each council that have become disabled whilst employed and have had reasonable adjustment made to assist their continued employment.

**(AQW 23527/11-15)**

**Mr Attwood:** Councils are independent employers and are thus bound by the Disability Discrimination Act 1995 (DDA) under which it is unlawful for an employer to discriminate on the grounds of disability. The DDA allows for reasonable adjustments by employers to ensure fair access for disabled people or to compensate for the disadvantage they experience as a result of their disability.

Councils are, in addition, bound by Section 75 of the Northern Ireland Act 1998 which obliges councils to have due regard to the need to promote equality of opportunity between persons with a disability and persons without.

It is the responsibility and duty of councils to comply with all relevant legislation in regard to the employment of individuals and I will write to all council Chief Executives seeking the information you request and provide it to you when it has been collated.

### **Carrier Bag Levy**

**Mr Weir** asked the Minister of the Environment to detail the monthly receipts from the single use bag levy.

**(AQW 23533/11-15)**

**Mr Attwood:** As the receipts from the Carrier Bag Levy are collected on a quarterly basis, the first payments from retailers to the Department are not due until July 2013.

The Department anticipates quarterly receipts of around £425,000 in 2013/14 and will publish the actual receipts when this information becomes available.

## Carrier Bag Levy

**Mr Weir** asked the Minister of the Environment to list the environmental projects or groups that have been designated for funding from receipts of the single use bag levy.

**(AQW 23534/11-15)**

**Mr Attwood:** I intend to use the net revenue generated from the Carrier Bag Levy to support communities, businesses, voluntary organisations, charities and schools in the delivery of local environmental programmes, particularly those that deliver social and economic benefits. These include:

- The creation of a new River Restoration Fund to allow local communities, angling groups and voluntary environmental organisations to run small projects which will improve local river water quality and ecological status and thereby contribute to implementing the objectives of the EU Water Framework Directive;
- The creation of a new Sustainability Innovation Fund to support community groups, business and others who need financial support to implement initiatives which have the potential for innovation which can generate transformational environmental change;
- Increased grants from the Community Challenge Fund to deliver a range of practical, local environmental projects through a broad range of not-for-profit groups including; voluntary and community groups, schools, charities and environmental trusts;
- Increased grants from the Natural Heritage Fund to encourage the conservation and enhancement of key elements of the environment and its wildlife and provide facilities which help as wide a range of people as possible to enjoy and appreciate our natural heritage; and
- Increased grants available from the Rethink Waste Fund to promote waste prevention, reuse and recycling.

The first Carrier Bag Levy returns from retailers are due in July 2013. Once this information is received and collated, the Department will be able to establish a reliable estimate of the total net revenue for 2013/14 and allocate funding to programmes and projects on the basis of this estimate.

## Taxis: Single-tier Licensing

**Mr G Robinson** asked the Minister of the Environment why the one tier taxi licensing system has restrictions on which taxis can use the Belfast taxi ranks, but permits any taxi to use a taxi rank outside Belfast.

**(AQW 23540/11-15)**

**Mr Attwood:** Single Tier Licensing will not introduce any new restrictions on the type of taxis which are able to sit at ranks in Belfast. Belfast Public Hire taxis (yellow plate) are the only vehicles which are currently permitted to stand at ranks in Belfast as they are the only vehicles which are tested as wheelchair accessible by the Driver and Vehicle Agency. This situation will not change after 1 September 2013.

There is currently no requirement for taxi vehicles licensed as public hire outside Belfast or private hire to be wheelchair accessible and any vehicle can use ranks outside Belfast. This is in line with the taxi reform programme which is implementing the Taxis Act 2008, which restricts the use of publicly-funded ranks in Belfast to wheelchair accessible vehicles, and will introduce the same restriction outside Belfast in 2016. This was determined to be necessary as part of ensuring a sufficient supply of wheelchair accessible vehicles within the taxi fleet. Work is currently underway to determine the specification for wheelchair accessible vehicles, and this will be subject to public consultation before being finalised.

## Taxis: Licence Plates

**Mr G Robinson** asked the Minister of the Environment why a single coloured taxi plate, which would indicate that a level competitive framework exists for all taxis, will not be issued under the single tier taxi system.

**(AQW 23541/11-15)**

**Mr Attwood:** In September 2014, it is intended that all taxi plates will be attached to the taxi's roof sign. The minimum roof sign specification which will allow for this will be released later this year.

In the transition period prior to this, in order to minimise operator costs associated with the purchasing of new plates, there will be no need for taxis wishing to operate as 'Restricted Public Hire' and currently using a private hire (green) plate or a Public Hire outside Belfast (white) plate to apply to the Driver and Vehicle Agency (DVA) for a change of plate. A new 'Restricted Public Hire' plate will be issued when the current licence plate expires. If a current green or white taxi plate is lost, accidentally defaced or destroyed, DVA will replace it with the same type of plate; only when the current licence and plate expires will a taxi be able to obtain a "Restricted Public Hire" licence and plate.

Private hire green plates will only be issued after 1 September 2013 to those operating contract services, such as limousines, wedding and funeral cars, and chauffeur services. These vehicles will not require a roof sign to obtain a PSV licence. Anyone wishing to remain as private hire and operate as a special occasion/contract vehicle without a roof sign will be able voluntarily to submit their external plates to DVA in exchange for a new private hire internal plate.

In the transition period, yellow plates will continue to be issued to those vehicles tested as wheelchair accessible and therefore able to sit at ranks in Belfast City Centre.

### Taxis: Public Hire

**Mr G Robinson** asked the Minister of the Environment why the proposals from his department on a single tier taxi system place the word 'restricted' on the majority of taxi plates that will be issued; and what consideration was given to any disadvantage that might ensue to taxi drivers.

**(AQW 23542/11-15)**

**Mr Attwood:** Single Tier Licensing will not introduce any new restrictions on non-wheelchair accessible public hire taxis. The only restriction which will apply is the current restriction from standing at ranks in Belfast City Centre. The current wording of "Public Hire Outside Belfast" has been amended to "Restricted Public Hire" reflecting the fact that single tier taxi licensing will now allow all public hire taxis to work in Belfast City Centre.

### Dignity at Work: DOE Cases

**Mr Spratt** asked the Minister of the Environment how many Dignity at Work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

**(AQW 23556/11-15)**

**Mr Attwood:** The table below outlines the number of formal Dignity at Work cases lodged in the Department since 2008. There are currently 8 live formal cases, 4 from late 2012 and 4 lodged this year.

Year	Open	Closed
2013	4	1
2012	4	5
2011	0	5
2010	0	6
2009	0	10
2008	0	11

Of the two non-departmental bodies, Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC) and the Local Government Staff Commission (LGSC) only NILGOSC has had two Dignity at Work cases during the period, both of which were resolved.

### Planning Application J/2011/0335/F

**Mr McElduff** asked the Minister of the Environment, in light of the frustration of groups and individuals considering submitting consultation responses to wind farm applications in the West Tyrone, and in particular planning application J/2011/0335/F, who are finding it difficult to access and locate all the necessary information in order to make an informed consultation response, what measures can be taken by applicants and councils to defer any wind farm applications recommended for approval in instances where consultees have not been able to examine all the relevant documentation, so that potential consultation responders can secure reasonable and adequate time to review the relevant application and documentation.

**(AQW 23560/11-15)**

**Mr Attwood:** It is fully 20 months since planning application J/2011/0335/F was submitted to the Department for consideration. In that time all of the information submitted in support of the planning application has been available to view on the Department's Planning Portal website. Copies have also been available to view in the Area Planning Office in Omagh and in the Strategic Planning Division in Belfast. This application seeks to amend some of the details of a wind farm previously approved in August 2009.

In total, 50 letters of objection have been received. Some of those objections focus on the quality and quantity of information submitted with the planning application. As I understand the AQ, the issue is not access – but the information that is being accessed.

My officials have determined that sufficient information has been submitted to allow full consideration to be given to the proposal and all of that information has been publicly available. The Department has made available to interested parties the files relating to the original grant of approval for the wind farm dating from August 2009. These files, because of their age, would not have been available to view on the Department's website.

There are established procedures in place whereby a Council, when considering a planning application, may seek to defer the matter if they have particular concerns with the proposal or the recommendation from the Department. At this stage, I have not been advised what further information may be required in the view of those objecting but would welcome hearing.

## Wind Turbines: Planning Applications

**Mr Dunne** asked the Minister of the Environment to detail the number of planning applications (i) received; and (ii) approved for (a) 0kW to 50kW; (b) 51kW to 100kW; (c) 101kW to 200kW; and (d) 201kW to 250kW output single wind turbines between 1 May 2010 and 1 May 2013.

**(AQW 23593/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner. As Minister I am fully supportive of renewable energy and believe firmly in the contribution that renewables make to the economy.

The information provided in planning applications for wind turbines does not always include the output level of the proposed turbine. It is therefore not possible from the information held on the database to provide validated statistical information in relation to this request.

The table below details the number of Single Wind Turbines applications received, approved and decided since April 2010 until March 2013:

Received	2010/2011	2011/2012	2012/2013
Received	628	665	606
Approved	117	269	495
Refused	28	61	75

## Carrier Bag Levy

**Mr Weir** asked the Minister of the Environment which environmental projects or groups have received funding or grants from the single use plastic bag levy; and, if no awards have been made, when the first award will be made.

**(AQW 23596/11-15)**

**Mr Attwood:** Before I allocate funding from the Carrier Bag Levy to specific environmental programmes and projects, I wish to establish a fuller assessment of the likely quantum of revenue for 2013/14. This will be possible after retailers make their first quarterly returns to the Department in July 2013. Once a fuller assessment is established, I will identify those projects to benefit from the receipts generated by the Carrier Bag Levy and award funding accordingly.

I intend to use the net revenue generated from the Carrier Bag Levy to support communities, businesses, voluntary organisations, charities and schools in the delivery of local environmental programmes, particularly those that deliver social and economic benefits.

## Taxis: Illegal Operators

**Mr Campbell** asked the Minister of the Environment how many people have been prosecuted for operating illegal taxis, in the last two years.

**(AQW 23648/11-15)**

**Mr Attwood:** The following table sets out the number of taxis inspected by DVA Enforcement Officers during the period 1st April 2011 to 31st March 2013 and details the number of prosecution cases instigated and fixed penalty notices issued to drivers at the roadside. The figures reported are the latest available DOE/DVA Official Statistics

Period	Number of Taxis Inspected	Number of Prosecutions	Number of Fixed Penalty Notices
2011/12	2,177	104	254
2012/13	1,865	88	280
<b>Total</b>	<b>4,042</b>	<b>192</b>	<b>534</b>

The figures that relate to prosecutions and fixed penalty notices are linked to a variety of taxi offences as there is no singular offence code to identify an illegal taxi.

## Ulster Way: International Appalachian Trail

**Mr Allister** asked the Minister of the Environment (i) for his assessment of the proposal for an International Appalachian Trail along the Ulster Way, particularly along the North Coast; (ii) what consultation has taken place with local landowners over the proposal; (iii) what were the results of the consultation; (iv) what impact the Trail would have on the ownership, upkeep and name of the existing Ulster Way; (v) what are the financial implications of the Trail; and (vi) upon whom would these implications impact.

**(AQW 23653/11-15)**

**Mr Attwood:** I support the concept of the International Appalachian Trail (IAT) and I convened a meeting earlier this year with the European Vice President of the IAT steering group together with representatives from NITB and from the councils along the proposed route.

Following this meeting officials in the Northern Ireland Environment Agency wrote to each of the relevant councils seeking nominees to sit on a NI IAT Working Group and are awaiting a response. It is clearly important that the councils confirm support for the proposal as each would have a crucial role in ensuring that the standard of the IAT is appropriate to its international status. NIEA officials have advised that they are not aware of any consultation carried out by the councils.

There will be no impact on the ownership or the name of the Ulster Way as the route is simply being double branded where appropriate. District councils are responsible for landowners' agreements and the essential maintenance of the quality sections of the Ulster Way. NIEA, through the Natural Heritage Grant Programme, may provide financial support towards essential works and the development of further off-road sections of approved long distance routes, including the Ulster Way. It is quite possible that the international recognition of the IAT will bring welcome benefits to tourism and promote wellbeing as more people may be encouraged to walk the Ulster Way and the long distance walking routes that make up most of the IAT.

At this early stage it is not envisaged that the development of the IAT would have any financial implications for the councils as there are no signs or trail furniture planned. It would be for each council to decide if it wishes to place any new trail furniture on the route and to bear any resultant cost.

The European IAT steering group is not constituted in such a way that it could apply for funding for projects. It may, should this prove necessary, be possible for a particular council to apply for funding on behalf of this body and NIEA is exploring this option with councils.

### **Tourism: PPS 16**

**Mr Swann** asked the Minister of the Environment when draft PPS 16 will be adopted.  
(AQW 23670/11-15)

**Mr Attwood:** Draft PPS 16 was published for public consultation in November 2010. The public consultation period ended in March 2011 and the PPS was amended to take account of the public consultation responses.

The final version of PPS 16 was agreed by the Executive on 06/06/2013.

### **Tourism: Accommodation**

**Mr Swann** asked the Minister of the Environment what evidence is required to identify and detail a positive need for a particular type of tourist accommodation in any area, as required by TOU 3 of the Planning Strategy for Rural Northern Ireland.  
(AQW 23671/11-15)

**Mr Attwood:** Policy TOU 3 of 'A Planning Strategy for Rural Northern Ireland' states that the Department will give favourable consideration to proposals for Hotels, Guesthouses and Self-catering accommodation in existing settlements and in appropriate rural locations. It will be necessary for applicants to identify and detail a positive need for a particular type of tourist accommodation in any area.

In assessing applications for rural tourist accommodation the need for the development is material in the determination of a planning application. A range of information may be requested by the Department in order to demonstrate a need for tourist accommodation. This will be dependent on the nature, scale and location of the development proposal and may include one or a number of the following:-

- Expressions of support from the Northern Ireland Tourist Board and other appropriate bodies such as local community groups or tourism based organisations;
- Expressions of support from local elected representatives;
- a 'Tourism Needs Statement' which would demonstrate that the development would be in the public interest in terms of inward investment and employment opportunity;
- where applicable, confirmation of grant-aid funding in order to facilitate the tourism accommodation;
- a feasibility study for consideration and assessment by the Economics Branch in the Department for Regional Development which provides this service to the Department.

When PPS 16 is published in final form, it will remove this much criticised needs test by replacing it with specific criteria tailored to different forms of tourism development. This will improve the transparency of policy and make it easier for developers to ensure their proposals accord with planning policy.

### **Tourism: PPS 16**

**Mr Swann** asked the Minister of the Environment to detail any discussions his officials have had with officials from the Department of Enterprise, Trade and Investment (DETI) on information held by DETI that would inform the implementation of TOU 3 of the Planning Strategy for Rural Northern Ireland or draft PPS 16.  
(AQW 23672/11-15)

**Mr Attwood:** My officials have fully engaged with DETI and the Northern Ireland Tourist Board in the preparation and development of PPS 16. Through this engagement, PPS16 will remove the current needs based tests for the assessment of planning applications for tourist accommodation in the countryside currently as set out in Policy TOU3 in 'A Planning Strategy for Rural Northern Ireland'.

### Carrier Bag Levy

**Ms Lo** asked the Minister of the Environment for an estimate of the amount of income that will be received from the plastic bag levy, given the estimates that single use bag usage has dropped by 98 per cent.

**(AQW 23682/11-15)**

**Mr Attwood:** As I have stressed previously, the Carrier Bag Levy (which currently applies to single use carrier bags made from plastic, paper and other natural materials) is first and foremost an environmental measure intended to benefit our environment by dramatically reducing the number of single use carrier bags dispensed in Northern Ireland.

I have been very encouraged by the anecdotal evidence and estimates from retailers indicating substantial reductions in the number of single use carrier bags being dispensed. Although many retailers have informally reported significant reductions, including one as high as 98%, validated statistics will not be available until later this year. However, I am confident that the target of an 80% reduction overall is well within our reach.

As I have indicated previously, the amount of revenue generated by the levy will be heavily dependent upon the overall reduction in the number of single use carrier bags dispensed. Based on data from the Welsh carrier bag charge, the latest 2013/14 gross revenue forecast for the Northern Ireland Carrier Bag Levy is £1.7m.

The first Carrier Bag Levy returns from retailers are due in July 2013. Once this information is received and collated, the Department will be able to establish a reliable estimate of the total revenue for 2013/14.

### Carrier Bag Levy

**Ms Lo** asked the Minister of the Environment how he will fund the projects which were due to be funded through the plastic bag levy, given estimates that single use bag usage has dropped by 98 per cent.

**(AQW 23683/11-15)**

**Mr Attwood:** The Carrier Bag Levy currently applies to single use carrier bags made from plastic, paper and other natural materials. I intend to use the net revenue generated from the levy to support communities, businesses, voluntary organisations, charities and schools in the delivery of local environmental programmes, particularly those that deliver social and economic benefits. These include:

- The creation of a new River Restoration Fund to allow local communities, angling groups and voluntary environmental organisations to run small projects which will improve local river water quality and ecological status and thereby contribute to implementing the objectives of the EU Water Framework Directive;
- The creation of a new Sustainability Innovation Fund to support community groups, business and others who need financial support to implement initiatives which have the potential for innovation which can generate transformational environmental change;
- Increased grants from the Community Challenge Fund to deliver a range of practical, local environmental projects through a broad range of not-for-profit groups including; voluntary and community groups, schools, charities and environmental trusts;
- Increased grants from the Natural Heritage Fund to encourage the conservation and enhancement of key elements of the environment and its wildlife and provide facilities which help as wide a range of people as possible to enjoy and appreciate our natural heritage; and
- Increased grants available from the Rethink Waste Fund to promote waste prevention, reuse and recycling.

As I have stressed, the Carrier Bag Levy is first and foremost an environmental measure intended to benefit our environment by dramatically reducing the number of single use carrier bags dispensed in Northern Ireland. I have been very encouraged by the anecdotal evidence and estimates from retailers indicating substantial reductions in the number of single use carrier bags being dispensed. Although many retailers have informally reported significant reductions, including one as high as 98%, validated statistics will not be available until later this year. However, I believe that the target of an 80% reduction overall may be within our reach.

Clearly, the amount of revenue generated by the levy will be heavily dependent upon the overall reduction in the number of single use carrier bags dispensed.

The first Carrier Bag Levy returns from retailers are due in July 2013. Once this information is received and collated, the Department will be able to establish a reliable estimate of the total net revenue for 2013/14 and I will be in a better position to assess funding allocations to programmes and projects on the basis of this estimate. Over the last 2 years, the DOE has demonstrated enhanced commitment to funding environmental projects such as the Challenge Fund. I will seek to identify ways to continue to do and enhance the funding streams, through and outside levy monies.

### Ulster Way: Landslide at Portnabrock

**Mr Allister** asked the Minister of the Environment what plans the Northern Ireland Environment Agency, or other arm's-length bodies, have to assist in finding a solution to the blockage caused to the Ulster Way by the land slide at Portnabrock. (AQW 23691/11-15)

**Mr Attwood:** The path at Portnabrock, also known as Doonninish, is part of the Causeway Coast Way and the Ulster Way. Moyle District Council (MDC) has responsibility for any development and management of the route in this area.

The Natural Heritage Directorate of NIEA is aware of the access issues due to the rock falls at this location and has been working since January 2012 with MDC and Outdoor Recreation NI (ORNI) to identify a long-term solution.

A Strategic Path Review for the Causeway Coast Way was undertaken by ORNI to examine the sustainability of the route and develop recommendations for its future. NIEA provided grant aid of £6,000 (75% of costs) for the Review with match funding from MDC, Coleraine District Council and the National Trust. The Review was completed in November 2012 and one of the priority recommendations contained in the report was to 're-open access at Doonninish – remove rock fall and debris and negotiate a new access agreement for re-routing the path over the headland'.

Since then MDC and ORNI have each made approaches to the landowners to negotiate a new route close to the previous one however these were not successful and instead an alternative route for the path, which while not ideal may be suitable, was agreed. MDC felt that on the grounds of Health and Safety, the route would require an extensive geological inspection.

NIEA recognises the impact of the closure of this section of path and the need to find a sustainable solution. With this in mind, NIEA has recently offered financial support to MDC to enable it to undertake the geological studies and to identify and agree a sustainable long term route for this section of the Causeway Coast Way. Once this has been delivered, MDC should then progress to identify the costs involved in reinstating a route, for which further grant aid may be sought.

### Birds: Population Trends

**Ms Lo** asked the Minister of the Environment, in light of the recent Royal Society for the Protection of Birds State of Nature Study which suggests that the numbers of Northern Ireland's threatened bird species are declining rapidly, what data his Department collects on population trends for birds. (AQW 23722/11-15)

**Mr Attwood:** Information on bird population trends available to the Northern Ireland Environment Agency covers a wide range of species and originates from several sources. These include regular monitoring programmes and periodic species or habitat-specific surveys. Northern Ireland Environment Agency is a significant supporter of many of these survey programmes. Many of the surveys referred to have their equivalent in the Republic of Ireland allowing a better understanding of changes of bird populations at an all-Ireland level.

Our important wintering waterbird sites and populations are monitored annually through the UK wide Wetland Bird Surveys.

Breeding birds of the wider countryside are surveyed through the Breeding Bird Survey, again part of a UK wide programme.

Northern Ireland participates in the periodic bird atlases programmes covering Great Britain and Ireland which provide important data on distribution changes of both breeding and wintering species. The most recent atlas is scheduled for publication later this year.

Data on rarer breeding species is obtained through targeted surveys as part of the Scarce and Rare Breeding Bird Surveys.

Seabird monitoring is undertaken through national surveys at approximately 15 year intervals but is supplemented with additional surveys, some annually.

While the Department's NIEA undertake some of the above work, much of it is undertaken by a range of organisations many of which are supported by the Department. The contribution from the voluntary sector is of particular importance.

The close working relationship between NIEA and the other groups involved in this work is notable and ensures that a co-ordinated approach is taken to monitoring our bird populations.

### Animals: Northern Ireland Priority Species List

**Ms Lo** asked the Minister of the Environment what protections are afforded to species on the Northern Ireland Priority Species List. (AQW 23723/11-15)

**Mr Attwood:** The protection afforded to species on the Northern Ireland Priority Species List is varied.

Many Priority Species are directly protected under the Wildlife (Northern Ireland) Order 1985. These priority species include birds, mammals, other vertebrates, some invertebrates and plants. The Wildlife and Natural Environment Act (Northern Ireland) 2011 offered protection to additional species, strengthened the protection from disturbance (from intentional to reckless) and introduced custodial sentences for some offences.

Sites are designated as Areas of Special Scientific Interest (ASSIs) through the Environment (Northern Ireland) Order 2002 to protect many of the rarer species. This site designation process includes management arrangements which afford greater opportunity to protect species

Northern Ireland Priority Species are also protected through a range of Government policies e.g. planning and agricultural policies and guidance. In addition, Government funding is also used to encourage the conservation of priority species such as through NIEA grant-aid and the targeting of agri-environment schemes.

### **Birds: Threatened Species**

**Ms Lo** asked the Minister of the Environment for his assessment of the Royal Society for the Protection of Birds State of Nature Report which suggests that many of Northern Ireland's threatened species, including yellowhammers and lapwings, are declining in number; and what steps his Department is taking to arrest this decline.

**(AQW 23724/11-15)**

**Mr Attwood:** Northern Ireland Environment Agency (NIEA) is aware of the status of the threatened species mentioned in the recently published State of Nature Report.

Yellowhammer and Lapwing are just two of the 481 Northern Ireland priority species which have been identified by the Department as requiring conservation action.

Public bodies now have a duty under the Wildlife and Natural Environment Act to further biodiversity.

The Department has published information on each of the Northern Ireland priority species and will further develop advice on the actions which each species requires to identify and arrest declining populations.

Departmental action for individual species varies and includes helping obtain better information on status, designated site protection and influencing more general habitat management.

In the case of Lapwing and Yellowhammer NIEA will continue to fund required monitoring and research to provide the Department with the information necessary to better understand population changes for these species and the factors affecting their status.

A number of Areas of Special Scientific Interest have been designated as sites for breeding Lapwing such as Maghaberry ASSI where this spring appears to be a record breaking season for this species.

It is recognised that most of the breeding Lapwing and Yellowhammer occur outside designated sites and are heavily influenced by agricultural policies especially. NIEA is currently liaising with Department of Agriculture and Rural Development to ensure that the forthcoming Rural Development Plan, and in particular measures such as agri-environment schemes, are targeted at benefiting threatened priority species such as Yellowhammer and Lapwing.

### **Wind Farms: AONB/ASSI/SAC Protection**

**Mr McNarry** asked the Minister of the Environment what steps he is taking to protect (i) Areas of Outstanding Natural Beauty; (ii) Areas of Special Scientific Interest; and (iii) Special Areas of Conservation, from wind farm development.

**(AQW 23726/11-15)**

**Mr Attwood:** Planning Policy Statement (PPS)18 'Renewable Energy' aims to facilitate the siting of renewable energy generating facilities in appropriate locations in the built and natural environment in order to achieve Northern Ireland's renewable energy targets.

The policy does not however rule out renewable energy development (including wind farms) within Areas of Outstanding Natural Beauty (AONBs); Areas of Special Scientific Interest (ASSI's) or Special Areas of Conservation (SACs).

It is however a key objective of the policy to ensure that the environmental, landscape, visual and amenity impacts associated with renewable energy development are adequately addressed; and that adequate protection is afforded to the Region's built, natural and cultural heritage features.

The Best Practice Guidance (BPG) that accompanies PPS 18 makes clear that a cautious approach is necessary in relation to those landscapes which are of designated significant value, such as Areas of Outstanding Natural Beauty, and their wider settings. The BPG advises that here it may be difficult to accommodate wind turbines without detriment to the Region's cultural and natural heritage assets. The BPG also recognises that some areas are important for a variety of bird species protected under the EU and UK legislation (SPAs, SACs and ASSIs).

The Natural Heritage Directorate (NH) of NIEA provides advice to DOE Planning on wind farm developments which may impact upon the designation features of Areas of Special Scientific Interest or Special Areas of Conservation.

In addition, and here appropriate, NH also provides advice to DOE on wind farm developments which may impact upon Northern Ireland's landscapes, including AONB's. The advice provided by NH assists with the appropriate location, siting, layout and design of wind farm developments in landscape and visual terms.

Finally, where wind farm developments are located in a "sensitive area" including AONBs, ASSIs and SACs, an Environment Impact Assessment will be required if the development is likely to have a significant effect on the environment.



## Taximeters: Regulation

**Mrs Cochrane** asked the Minister of the Environment to outline his plans for the regulation of taximeters, including the calibration of new or faulty taximeters.

**(AQW 23763/11-15)**

**Mr Attwood:** A consultation on proposals for a maximum Taxi Fare and Taximeter requirements within Northern Ireland took place between 21 November 2011 and 17 February 2012. Supporters of the proposals such as IMTAC, Disability Action and the Consumer Council stated that taximeters are essential to ensure public confidence in the regulation of fares.

The enabling Regulations are presently planned to be introduced in September 2014 in order to allow the industry time to prepare for the costs associated with meter and receipt printer purchases. The Regulations are necessary are in order to:

- improve consumer protection by ensuring that customers cannot be overcharged;
- remove the ability to charge a wheelchair user more than a non-wheelchair user; and
- improve the level of service provided to fare paying customers, by requiring receipt printers for all taximeters.

Under the proposed Regulations, all taxis will have to be fitted with a sealed taximeter, calibrated to the maximum taxi tariff. The meter will be tested on a regular basis by companies approved by the Driver and Vehicle Agency (DVA) under a specific scheme introduced for this purpose. Given the importance of providing appropriate customer protection, drivers will not be allowed to taxi until and unless the taximeter is correctly calibrated. The Regulations will make it an offence for a taxi to operate if the taximeter is broken. All broken taximeters will have to be reported to DVA and the vehicle will not be able to be used for hire or reward until the taximeter has been repaired, calibrated, checked and sealed.

## Councils: Performance Improvement

**Mrs D Kelly** asked the Minister of the Environment, in light of the proposed new role of the Local Government Auditor in the Local Government (Reorganisation) Bill to provide the external assurance that councils have complied with their duties on performance improvement, what baseline assessment will be used.

**(AQW 23767/11-15)**

**Mr Attwood:** The baseline for the Local Government Auditor's role will be the statutory duties that will be placed on councils through the Local Government Bill and the associated guidance issued by the Department together with a council's Annual Improvement Plan. This Plan will set out the council's improvement objectives for the incoming year and its assessment of its performance against objectives set for the preceding year.

## Wind Farms: Neighbour Notification Criteria

**Mr McNarry** asked the Minister of the Environment what plans he has to change the neighbour notification criteria for the erection of wind farms, as applies to household extensions, to a model more based on business usage.

**(AQW 23769/11-15)**

**Mr Attwood:** Neighbour notification is undertaken by the Department as a matter of good practice and is not required by statute. Its purpose is to advise those who are most likely to be affected by a development proposal. As such it is established procedure to notify only the occupants of buildings that abut a planning application site and are within 90m of that site.

In addition to the scheme, planning applications are also advertised in a paper in circulation in the locality within which the application site is situated. All applications are also available to view on the PlanningNI website.

The Planning Bill, which is currently under the scrutiny of the Environment Committee, is an interim measure intended to give effect to certain reform provisions contained in the Planning Act 2011 which may be commenced by Department prior to the transfer of planning powers to the new district councils. These include new provisions for revised publicity measures to be brought forward by way of future subordinate legislation. Such legislation will itself be subject to public consultation and Assembly scrutiny.

## Wind Farms: Slieveard Planning Application

**Mr McNarry** asked the Minister of the Environment, given the major changes to the Slieveard Wind Farm planning application, whether the developer is required to organise a further series of public information events.

**(AQW 23770/11-15)**

**Mr Attwood:** My Department was notified by the developer at the pre-application stage of their intention to submit an application for a development of 9 wind turbines. The planning application subsequently submitted was for 7 turbines. I do not consider this change, a reduction by 2 in the number of turbines proposed, to be a major change in the proposal.

Planning legislation does not yet require an applicant to engage in public consultation prior to the submission of an application for major developments although many developers recognise the benefit of this approach and have voluntarily organised events. I encourage this approach. However, provisions in the forthcoming Planning Bill will ensure enhanced community involvement at pre application stage for certain major development proposals.

## Wind Farms: Ulster American Folk Park

**Mr McNarry** asked the Minister of the Environment what steps he will take to address the situation where three wind farms, within a five mile radius, will be visible from the Ulster American Folk Park.

**(AQW 23771/11-15)**

**Mr Attwood:** The planning system exists to regulate the development and use of land in the public interest. The public interest requires that all development is carried out in a way that would not cause harm to interests of acknowledged importance.

Planning applications for wind farm developments, as with all other forms of development, will be determined on their individual planning merits. In determining those applications, my officials will have regard to the relevant policy provisions and all other material considerations.

Clearly the potential cumulative impact arising from a number of wind farm planning applications in the same locality will be a material consideration. The views from the Ulster American Folk Park and if and how they represent a material consideration is a matter for assessment by officials when they come to consider the merits of each proposal.

## Planning: Qualified Planning Officers

**Mr Weir** asked the Minister of the Environment how many qualified planning officers work for the Planning Service in each planning division.

**(AQW 23839/11-15)**

**Mr Attwood:** Planning and Local Government Group employs the following number of professional Planning Staff in each of the locations detailed in the attached table.

Location	Number of Professional Planning Staff Employed
South Antrim Area Planning Office, Ballymena	29
Belfast Area Planning Office, Belfast (Bedford House)	44
Planning & Local Government Group Headquarters, Belfast (Millennium House)	67
Northern Area Planning Office, Coleraine	19
Southern Area Planning Office, Craigavon	53
Downpatrick Area Planning Office, Downpatrick	41
Western Area Planning Office, Enniskillen	8
Northern Area Planning Office, Londonderry	25
Western Area Planning Office, Omagh	34
<b>Total</b>	<b>320</b>

## Planning: Application Backlog

**Mr Weir** asked the Minister of the Environment what action his Department is taking to reduce the backlog in planning applications and the time taken to process planning applications.

**(AQW 23840/11-15)**

**Mr Attwood:** I am fully aware of the need for a speedy planning process to support the economy and I have implemented a number of initiatives to improve performance and reduce the number of applications in the system over 12 months.

I have put in place an Improving Planning Application Processing Times Action Plan to help deliver faster, more predictable planning decisions. The Action Plan is in place for almost one year and has seen improved performance in all categories of applications. This upward trend in performance is reflected in the 2012/13 business year with Q3 statistics indicating that the targets for intermediate and minor categories of development have been exceeded. Management information also indicates that the Programme for Government target for 2013-13 of determining 60% of large scale investment applications and those with job creation potential to be given additional weight has also been exceeded.

A project management approach is used in processing all planning applications, however, additionally, as part of the Action Plan I have asked each of the area offices to actively focusing on the reduction of the number of applications in the system for over 12 months. Management information indicates that there has been a substantial reduction of 38.9% in older applications from April 2012 to April 2013, with just over 1500 applications remaining in the system over 12 months.

As demonstrated above the measures that I have introduced have shown a significant improvement in planning processing times and in reducing the backlog of planning applications in the system. However, I am not satisfied with the length of time it takes to process planning applications and have set increasingly challenging targets for all categories of applications every year up until the transfer of planning functions in April 2015. I will, therefore, continue to monitor performance.

## Planning: North Down Applications

**Mr Weir** asked the Minister of the Environment how many planning applications in the North Down council area have been in the planning system for between (i) 12 months and two years; and (ii) two and three years.

**(AQW 23842/11-15)**

**Mr Attwood:** As of 30 April 2013, 10 planning applications in the North Down Council area have been in the planning system for between 12 months and two years. As of the same date, 2 applications have been in the system for between 2 and 3 years.

This figure has been taken from the most recent statistical information available to me.

## Organ Donation: Driving Licence Declarations

**Mr Campbell** asked the Minister of the Environment to on how many applications for driving licences the question regarding organ donation was answered positively, in each year since it was first used on the application.

**(AQW 23899/11-15)**

**Mr Attwood:** Although the Driver and Vehicle Agency facilitates those applying for driving licences registering their willingness to donate organs, since this data is not required for the processing of driving licence applications, under data processing rules, no record of this data is retained by the Agency. The details of applicants making a declaration in favour of organ donation is transmitted directly to the NHS Organ Donation and Transplantation Directorate.

## Rathlin Island: Gorse Fire

**Mr Ó hOisín** asked the Minister of the Environment, following the recent gorse fire on Rathlin Island, whether an environmental impact assessment has been carried out, given that the fire occurred at the height of the bird nesting season.

**(AQW 23967/11-15)**

**Mr Attwood:** An official from the Northern Ireland Environment Agency (NIEA) will in June visit Rathlin Island to undertake an environmental assessment of the fire that recently occurred there, part of which took place within the Rathlin Island Coast Area of Special Scientific Interest (ASSI). The impact and severity of the fire on the ASSI and its declaration features, which include maritime cliff and slopes and nesting seabirds and raptors, will be assessed at that time. I saw the area affected myself when visiting the island for the recent Maritime Festival.

In a wider context NIEA is supporting a variety of initiatives to address the wildfire issue. In relation to the impact of wildfires on natural heritage interests NIEA is funding, through the Natural Heritage Research Partnership, a project entitled 'Quantifying the extent and impact of wildfires'. This research project will include consideration of impacts of wildfires on plants, invertebrates and birds and is due for completion by the end of 2015.

## Gas Exploration and Extraction

**Mr Flanagan** asked the Minister of the Environment for an update on the Environmental Protection Agency/Department of Communications, Energy and Natural Resources/Northern Ireland Environment Agency study into the long term impacts of unconventional gas exploration and extraction.

**(AQO 4222/11-15)**

**Mr Attwood:** My Department is co-funding this research programme and officials from the Northern Ireland Environment Agency form part of the Steering Committee that is tasked with developing the terms of reference and for managing the outputs from the programme.

The steering committee developed a proposed Terms of Reference (ToR) for an extensive and comprehensive programme of research. The ToR was the subject of a public consultation exercise in both the North and South of Ireland. The consultation period ended on the 8 March 2013 and approximately 1400 consultation responses were received.

The steering committee is now in the process of completing a review of all the submissions received and is now assessing them against the draft ToR, with a view to making the appropriate changes to the final document where appropriate.

Once this process is complete the steering committee will make available details of all valid submissions and where possible indicate how submissions have influenced the final document.

Once the ToR has been finalised it will form the basis of a tender document inviting suitably qualified companies and academic institutions to bid for individual projects or a number of projects within the scope of the research programme.

The steering committee met on 29 May 2013. A final copy of the ToR will be placed on the NIEA website in due course and all consultees will be informed of the next steps in the process through a reply to their submissions.

## Wind Farms: AONB Consideration

**Mr Buchanan** asked the Minister of the Environment what consideration his Department gives to the protection of an Area of Outstanding Natural Beauty when considering a planning application for a wind farm in that area.

**(AQO 4223/11-15)**

**Mr Attwood:** Policy RE1 of Planning Policy Statement (PPS) 18 'Renewable Energy' does not distinguish between areas designated for their significant landscape value, such as Areas of Outstanding Natural Beauty (AONBs), and other undesignated landscapes.

Nonetheless, the policy requires that all renewable energy development, regardless of whether it is proposed in a designated area or not, should not result in an unacceptable adverse impact on visual amenity or landscape character of that area.

To assist the Department in the consideration of wind energy applications, PPS 18 is accompanied by Best Practice Guidance (BPG) and Supplementary Planning Guidance (SPG) 'Wind energy Development in Northern Ireland's Landscapes'. The SPG provides broad, strategic guidance in relation to the visual and landscape impacts of wind energy development for 130 Landscape Character Areas (LCAs) across Northern Ireland.

Within each LCA the key landscape and visual characteristics are identified. In relation to the scenic quality of an area, the LCA will identify whether any part is subject to designation as an AONB. An assessment is also made as to the overall sensitivity of the landscape to wind energy development. The SPG advice is taken into account by the Department as strategic guidance in processing planning applications for wind energy development across the whole of Northern Ireland.

### **Planning Application Q/2011/0220/0**

**Mrs Dobson** asked the Minister of the Environment for an update on planning application Q/2011/0220/0.  
(AQO 4224/11-15)

**Mr Attwood:** The planning application for a two storey dwelling and garage at 58 Moyallen Road Portadown is currently under consideration and an opinion will be presented to Banbridge District Council prior to a decision issuing.

### **Carrickfergus: Heritage Plan**

**Mr Hilditch** asked the Minister of the Environment whether he will initiate a heritage plan for Carrickfergus.  
(AQO 4225/11-15)

**Mr Attwood:** I consider that the local council is well placed to initiate a heritage plan, particularly as we move closer to enhanced powers being provided to Councils in less than 2 years time, under the Review of Public Administration.

The Department would be a keen partner in a heritage/Conservation Plan, and would provide input in relation to the historic assets within its control, ie Carrickfergus Castle and the Gasworks. The Department would also provide advice and input in relation to other historic monuments, listed buildings and the Conservation Area within Carrickfergus, should the Council take forward such a plan. Much of this could fit within the context of the Innovation Trial at the Castle which NIEA is currently seeking to advance with Carrickfergus Borough Council.

### **Houses in Multiple Occupation: Laganbank, South Belfast**

**Mr Maskey** asked the Minister of the Environment how many streets have exceeded the Houses in Multiple Occupation cap in the Laganbank District Electoral Area, South Belfast.  
(AQO 4226/11-15)

**Mr Attwood:** The Houses in Multiple Occupation (HMOs) Subject Plan for Belfast City Council Area 2015 was published by my Department in December 2008.

The Plan identifies 22 areas in Belfast City Council area where HMOs are concentrated. These areas are designated as HMO Policy Areas. Of these 22, there are 20 in which the number of HMOs exceeds 30% of all the dwelling units. These are detailed in Appendix 3 of the Subject Plan.

Laganbank Electoral Area contains 670 streets. Of these 670 streets, 130 streets fall within the HMO Policy Areas in which the 30% occupancy rates have been exceeded.

No further HMO development will be permitted within those HMO Policy Areas until such times as the proportion of HMOs falls below 30% of all dwelling units in a Policy Area.

In relation to the remaining 540 streets where the 10% policy cap applies, my Department is carrying out further analysis when available, I shall advise of its conclusions.

### **Carrier Bag Levy**

**Mr I McCrea** asked the Minister of the Environment for his assessment of the impact of the single use carrier bag levy.  
(AQO 4227/11-15)

**Mr Attwood:** The Department will receive the first online returns from retailers in July; this will provide the first formal indication of the reduction in carrier bag consumption.

However current indications point to a sharp drop in demand for single use carrier bags. Some retailers have already reported reductions in bag consumption of between 75% and 98%. This suggests that the target of at least an 80% reduction in carrier bag consumption is well within our reach.

The Department's customer relations' managers have visited a large number of retail premises, both before and after the commencement of charging on 8 April. Feedback suggests that retailers are broadly positive about the introduction of the levy, and that customer acceptance is high.

Departmental staff will continue to work with the retailers to ensure that compliance is achieved. I firmly believe that the levy has been widely embraced because citizens and businesses want to make positive contributions to addressing the issue of waste.

### **Councils: Appointment of Senior Officers**

**Ms Ruane** asked the Minister of the Environment to outline the process he will use to appoint senior officers to the new councils under the review of public administration.

**(AQO 4228/11-15)**

**Mr Attwood:** Discussions regarding the underlying principles and timings for competitions for senior staff are being taken forward within the implementation structures which I have established for local government reform.

In relation to the new Chief Executive positions, I believe that these posts will be critical to the success of the new councils. The new councils will be larger geographically, will have additional functions and responsibilities and therefore greater accountability. There is a need for clear leadership in the local government reform process, both in the run up to 2015 and in the years beyond, not only at a political level but also operationally. Clearly much will be asked of those appointed, and they will need to have the experience, leadership qualities and skills required to transform local government.

I believe that these posts would best be filled through full and open competition, clearly I am carefully considering the issues and legal advice before soon making a final determination.

## **Department of Finance and Personnel**

### **Civil Service: Salaries**

**Mr McNarry** asked the Minister of Finance and Personnel how many (i) civil servants; and (ii) employees of departmental arm's-length bodies or quangos are paid through a limited company or a method other than PAYE.

**(AQW 22987/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** Ten of the thirteen NICS departments have confirmed that there are no civil servants or employees of arm's-length bodies (ALBs) or quangos paid through limited companies or a method other than PAYE.

The Department of Justice has responded that there are currently no such arrangements in respect of civil servants in DOJ, its Agencies or ALBs but that one employee of an ALB is paid through a limited company.

The Department of Health, Social Services and Public Safety has advised that no civil servants employed by DHSSPS are paid through private companies and that the NI Fire and Rescue Service does not have staff that are paid salaries through private companies. Staff employed in Health and Social Care on a temporary basis, through agencies, are the only staff who would be paid by private companies. The Health and Social Care Trusts do not have the information requested readily available and this could only be obtained at a disproportionate cost.

There are no civil servants in the Department for Employment and Learning whose salaries are paid through a limited company or a method other than PAYE. DEL is responsible for the Further Education sector in Northern Ireland and there is one member of staff in that sector who is currently paid outside PAYE.

### **Wind Turbines: Jobs Created**

**Mr McNarry** asked the Minister of Finance and Personnel how many new local jobs have been created through the development of wind turbines, in the last three years.

**(AQW 23774/11-15)**

**Mr Wilson:** The UK Standard Industrial Classification (SIC) 2007 used in surveys that provide estimates of employee jobs classifies businesses by the type of economic activity in which they are engaged. Development of wind turbines is grouped with similar businesses in the Production of Electricity Industry classification and therefore it is not possible to determine how many employee jobs there are in this specific aspect of the industry.

### **Jobs: North Down**

**Mr Weir** asked the Minister of Finance and Personnel how many private sector jobs have been created in the North Down constituency in each of the last four years.

**(AQW 23781/11-15)**

**Mr Wilson:** It is not possible to provide information on the total number of private sector jobs created in North Down as requested. Northern Ireland Statistics and Research Agency collects information on the number of jobs at a particular point in time and therefore can only provide the net change between two points in time.

The table overleaf provides the most recent information available on the net change in all private sector employee jobs in the Parliamentary Constituency of North Down as measured by the biennial Census of Employment. The net decrease takes into account both job gains and losses during the period. Estimates for 2012 will be available in September 2013.

**Table 1: Northern Ireland Employee Jobs in North Down Constituency (biennial)**

Year	Number of Private Sector Employee Jobs	Employee Job Net Change
2007	17,281	
2009	16,967	-314
2011	16,186	-781

**Source:** NI Census of Employment, September 2007 – 2011

### Procurement: Legal Challenges

**Mr Dallat** asked the Minister of Finance and Personnel to detail (i) the number of procurements or contracts that were held up by legal challenges, in each of the last three years; (ii) the value of those procurements or contracts; and (iii) where applicable, the number of jobs affected.

**(AQW 23871/11-15)**

**Mr Wilson:** The information provided in response to (i) and (ii) relates to construction works, supplies and services procurements carried out by the Central Procurement Directorate (CPD) on behalf of Departments.

**CPD does not hold information in relation to the number of jobs affected.**

Financial Year	Number of procurements/contracts	Value of procurements/contracts (£ million)
2010 - 2011	3	4.6
2011 - 2012	6	187.1
2012 - 2013	1	3.0

### Social Media

**Mr McKay** asked the Minister of Finance and Personnel to outline the legislation that seeks to protect people's reputations on social media and for his assessment of how successfully it is being enforced.

**(AQW 23931/11-15)**

**Mr Wilson:** Much of the law on defamation is judge-made. However, the Defamation Act (Northern Ireland) 1955 and the Defamation Act 1996 deal with a number of issues, including offers to make amends, limitation periods, the summary disposal of claims and certain defences.

On the libel side the focus previously was on the written or printed word. However, as recent cases have shown, the current law can be successfully applied to more modern forms of communication, including the internet and Twitter and, accordingly, I believe it offers suitable protections.

With the abolition of criminal defamation, defamation is now solely a civil matter and the issue of enforcement does not, therefore, arise. Rather it is for the individual citizen to initiate proceedings in his or her own name.

### Civil Service: Staff 2007-2013

**Mr McKay** asked the Minister of Finance and Personnel to detail the number of civil servants in each year since 2007, broken down by grade.

**(AQW 23988/11-15)**

**Mr Wilson:** The information requested is set out in the attached tables. Figures provided are permanent headcount as at 1 January each year, except 2009, which is at 1 April, and include analogous grades. While Department of Justice was set up on 12 April 2010, information on the number of uniformed Prison Officers is only available from 2012.

**Grade Breakdown of NICS Staff for 2007 - 2013****2013**

	<b>Headcount</b>	<b>Percent</b>
G5+	224	.8
SP	249	0.9
G7	1202	4.3
DP	2478	8.9
SO	3284	11.7
EOI	3537	12.6
EOII	4447	15.8
AO	7862	28.1
AA	2061	7.4
Industrial	1051	3.8
Uniformed Prison	1581	5.7
<b>Total</b>	<b>27976</b>	<b>100</b>

**2012**

	<b>Headcount</b>	<b>Percent</b>
G5+	246	.9
SP	235	0.8
G7	1153	4.1
DP	2362	8.4
SO	3256	11.6
EOI	3530	12.6
EOII	4295	15.3
AO	7992	28.5
AA	2115	7.6
Industrial	1066	3.8
Uniformed Prison	1744	6.2
<b>Total</b>	<b>27994</b>	<b>100</b>

**2011**

	<b>Headcount</b>	<b>Percent</b>
G5+	250	.9
SP	258	1.0
G7	1207	4.5
DP	2404	8.9
SO	3462	12.8
EOI	3715	13.8
EOII	4318	16.0
AO	8094	30.0
AA	2199	8.1

	Headcount	Percent
Industrial	1111	4.1
<b>Total</b>	<b>27018</b>	<b>100</b>

**2010**

	Headcount	Percent
G5+	241	.9
SP	399	1.5
G7	1100	4.1
DP	2447	9.1
SO	3354	12.5
EOI	3664	13.6
EOII	4219	15.7
AO	7868	29.2
AA	2466	9.2
Industrial	1176	4.4
<b>Total</b>	<b>26934</b>	<b>100.0</b>

**2009**

	Headcount	Percent
G5+	236	.9
SP	385	1.4
G7	1034	3.9
DP	2397	8.9
SO	3268	12.2
EOI	3530	13.2
EOII	4258	15.9
AO	7886	29.4
AA	2643	9.9
Industrial	1184	4.4
<b>Total</b>	<b>26821</b>	<b>100.0</b>

**2008**

	Headcount	Percent
G5+	246	.9
SP	394	1.4
G7	1058	3.8
DP	2304	8.3
SO	3021	10.8
EOI	3765	13.5
EOII	4282	15.4
AO	8043	28.9



	Headcount	Percent
AA	3378	12.1
Industrial	1383	5.0
<b>Total</b>	<b>27874</b>	<b>100.0</b>

**2007**

	Headcount	Percent
G5+	263	.9
SP	407	1.3
G7	1053	3.5
DP	2266	7.5
SO	3229	10.7
EOI	4077	13.5
EOII	4163	13.8
AO	8488	28.0
AA	3995	13.2
Industrial	2328	7.7
<b>Total</b>	<b>30269</b>	<b>100.0</b>

\* these columns may not add up due to roundings

**Warm Homes Scheme: Roof Insulation**

**Mr Campbell** asked the Minister of Finance and Personnel, given the change in recent years of the minimum depth of roofspace insulation under various Warm Homes schemes, whether consideration is being given to a review of the current requirement.

**(AQW 24059/11-15)**

**Mr Wilson:** The Building Regulations set minimum standards to be met when undertaking relevant work.

Thermal standards are contained in Part F (Conservation of fuel and power) of the Building Regulations. As part of an overhaul of all the regulations, Part F was reviewed during 2011 and uplifts in standards were reflected in the new Building Regulations (Northern Ireland) 2012.

The legislation and accompanying guidance documentation are available on the DFP website at <http://www.dfpni.gov.uk/index/buildings-energy-efficiency-buildings/building-regulations.htm>

A further review of Part F is planned during 2014 and will take into account the outcomes of research and consultation currently under way in England.

The application of a specific standard to roofspace insulation under Warm Homes schemes is a matter for the Department of Social Development to address.

**Public Sector: Prompt Payment**

**Ms McGahan** asked the Minister of Finance and Personnel what he is doing to improve prompt payment by the public sector.  
**(AQO 4253/11-15)**

**Mr Wilson:** My Department is responsible for issuing guidance and seeking assurance that guidance issued is being implemented. In regards to prompt payment, guidance was issued in 2008 and reissued in 2010 to reinforce the importance of prompt payment. My department also issued further guidance in March 2013, to draw attention to the new legislation on prompt payment and asked that all appropriate steps are taken to approve and release invoices for payment without unnecessary delay. I also wrote to Ministerial colleagues asking them to ensure that appropriate steps were being taken in their departments, agencies and arms-length bodies to action the guidance issued.

Departments, Agencies and NDPBs are now required to provide information in their accounts to disclose their performance both in terms of paying invoices within 30 days and 10 days.

I have also been focusing on late payments to subcontractors in the construction industry, who are badly impacted by poor payment practices. On 8 October 2012, I stated that 'where a contractor fails to deliver on a government contract, whether

it relates to meeting the specification or to the treatment of the supply chain, they will be prevented from tendering for future government contracts'. In addition, from January 2013 we have introduced Project Bank Accounts for government construction contracts with an estimated value of £1million where there is a significant subcontracting element.

### Special Advisers: Tax/National Insurance

**Mr Allister** asked the Minister of Finance and Personnel whether tax and national insurance contributions are deducted at source for all Special Advisers, who are paid from public funds, based on their salary level.

**(AQO 4257/11-15)**

**Mr Wilson:** I can confirm that tax and National Insurance contributions are deducted at source for all Special Advisers, who are paid from public funds, based on their salary level.

### Banks: Lending

**Mr Humphrey** asked the Minister of Finance and Personnel for an update on his engagement with Her Majesty's Treasury on bank lending.

**(AQO 4258/11-15)**

**Mr Wilson:** I most recently met with the Economic Secretary to the Treasury on 4th June along with the Enterprise Minister and the Secretary of State to discuss the problems facing our bank sector and where I pressed him for action on a number of important issues.

These included the ineffectiveness of national banking initiatives in Northern Ireland, my concerns about the Ulster Bank and in particular that the scale of its impairments are constraining its ability to serve the needs of its customers and our economy, regional lending data, and about HMT's liaison with the Irish Government on banking matters.

The Economic Secretary indicated that the Treasury would respond on our Ulster Bank concerns following the publication of the Parliamentary Commission on Banking Standards report, that they would continue to examine the performance of national initiatives locally, and would appreciate our views on this. He will also support our efforts to obtain better regional lending data from the banks.

We agreed to meet regularly to discuss these issues.

## Department of Health, Social Services and Public Safety

### Patient Care Service: Transport

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety (i) how much was spent by the Patient Care Service on the provision of the Non-Emergency Ambulance Service in the last financial year; (ii) how much of this was spent transporting people to hospital appointments; and (iii) how many clients were transported during this period.

**(AQW 23454/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):**

- (i) The total cost of non-emergency Patient Care Service Transport in 2012/13 was £8.8m.
- (ii) This total amount was spent in the transportation of patients to hospital appointments.
- (iii) In 2012/13, 200,205 patient journeys took place from a non-emergency perspective bringing patients to and from Hospitals or other Health and Social Care environments

### Causeway Hospital: Options Appraisal

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether the detailed options appraisal on the Causeway Hospital has begun; and if so, who is carrying out the appraisal and when it began.

**(AQW 23514/11-15)**

**Mr Poots:** The options appraisal for the future management arrangements for the Causeway Hospital is being taken forward by my Department with inputs from the Health and Social Care Board, the Northern Health and Social Care Trust, the Western Health and Social Care Trust and others, as required. The work is commencing now and will take into the account the forthcoming report from the Turnaround and Support Team as appropriate.

### Infertility Counselling Services

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to outline the rationale for infertility counselling services not being provided at any locations outside Greater Belfast.

**(AQW 23549/11-15)**

**Mr Poots:** The decision on where services are most appropriately delivered to meet the needs of any population is taken by the Health and Social Care Board in its role as Commissioner of health services. Currently infertility counselling, which is provided by the Fertility Counselling Service (NI), is an integral part of fertility treatment, which is only provided at the Regional Fertility Centre in the Belfast Health and Social Care Trust; as such, counselling is provided at a Belfast location.

### Dignity at Work: DHSSPS Cases

**Mr Spratt** asked the Minister of Health, Social Services and Public Safety how many Dignity at Work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

**(AQW 23559/11-15)**

**Mr Poots:** The Northern Ireland Civil Service Dignity at Work policy sets out the procedures for dealing with internal complaints of bullying, harassment, discrimination and victimisation. Table A below details formal complaints lodged, and investigated, under these provisions within this Department and the subsequent outcome.

Table B details any complaints of this nature made under the respective policies in the Department's Arms Length Bodies. Please assume a nil return for any such bodies not listed.

**Table A**

<b>DHSSPS</b>		
<b>Year (financial)</b>	<b>Number Raised</b>	<b>Outcome</b>
2008/09	1	Not Upheld
2009/10	0	-
2010/11	0	-
2011/12	2*	1 On Hold 1 Ongoing
2012/13	0	
<b>Total</b>	<b>3</b>	

\* One additional complaint lodged in 2011/12 was subsequently deemed not to be related to "Dignity at Work" and was redirected to an alternative procedure. It is therefore not included in the figures above.

**Table B**

<b>Arms Length Bodies</b>		
<b>Year (financial)</b>	<b>Number Raised</b>	<b>Outcome</b>
<b>NI Fire and Rescue Service</b>		
2008/2009	1	Not Upheld - 1
2009/2010	0	
2010/2011	6	Upheld-2 Upheld in part-1 Not upheld-1 Ongoing-2
2011/2012	4	Upheld- 2 Upheld in part- 2
2012/2013	3	Upheld-1 Upheld in part-1 Withdrawn-1
<b>Total</b>	<b>14</b>	
<b>Business Services Organisation</b>		
2008/2009	0	
2009/2010	0	
2010/2011	0	

<b>Arms Length Bodies</b>		
<b>Year (financial)</b>	<b>Number Raised</b>	<b>Outcome</b>
2011/2012	0	
2012/2013	1	Upheld - 1
<b>Total</b>	<b>1</b>	
<b>Public Health Agency</b>		
2008/2009	0	
2009/2010	0	
2010/2011	0	
2011/2012	0	
2012/2013	3	Not upheld- 1 Resolved informally-2
<b>Total</b>	<b>3</b>	

**Belfast Health and Social Care Trust**

2008/2009	N/A	Information Not Available
2009/2010	N/A	Information Not Available
2010/2011	6	Ongoing – 1 Mediation – 1 Not Upheld -4
2011/2012	18	Upheld – 1 Not Upheld – 10 Ongoing – 5 Mediation - 2
2012/2013	5	Ongoing – 4 Withdrawn - 1
<b>Total</b>	<b>29</b>	

**South Eastern Health and Social Care Trust**

2008/2009	6	Upheld – 1 Not Upheld - 5
2009/2010	6	Not Upheld - 6
2010/2011	6	Not Upheld -6
2011/2012	12	Not Upheld - 12
2012/2013	5	Upheld – 1 Not Upheld - 4
<b>Total</b>	<b>35</b>	

**Southern Health and Social Care Trust**

2008/2009	6	Upheld – 1 Not Upheld - 5
2009/2010	6	Not Upheld - 6
2010/2011	1	Upheld - 1
2011/2012	1	Not Upheld - 1
2012/2013	1	Upheld - 1
<b>Total</b>	<b>15</b>	

**Western Health and Social Care Trust**

2008/2009		3	Not Upheld - 3
2009/2010		4	Not Upheld - 4
2010/2011		3	Not Upheld - 2 Upheld - 1
2011/2012		1	Not Upheld - 1
2012/2013		4	Not Upheld - 4
<b>Total</b>		<b>15</b>	

**Ambulance Trust**

2008/2009		4	Upheld in part - 1 Not Upheld - 3
2009/2010		5	Not Upheld - 5
2010/2011		4	Upheld in part - 1 Not Upheld - 2 Ongoing - 1
2011/2012		6	Not upheld - 3 Ongoing - 3
2012/2013		5	Not Upheld - 2 Ongoing - 3
<b>Total</b>		<b>24</b>	

**NI Blood Transfusion Agency**

2008/2009		0	
2009/2010		0	
2010/2011		0	
2011/2012		1	Not Upheld - 1
2012/2013		0	
<b>Total</b>		<b>1</b>	

**Care Homes: Occupancy**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22622/11-15, what are the admission figures for each home when respite care and intermediate bed admissions are excluded; and what is the current occupancy by permanent residents in each home.

**(AQW 23585/11-15)**

**Mr Poots:** The information requested is not held centrally therefore it was requested from each of the five Health and Social Care (HSC) Trusts. The responses are provided in Table 1 below.

**Table 1: Permanent Occupancy and Admissions to Statutory Residential Care Homes**

Residential Home	No. of permanent admissions					Current Permanent Occupancy
	2008/09	2009/10	2010/11	2011/12	2012/13	
Belfast HSC Trust						
Chestnut Grove	35	0	0	0	0	14
Shankill House	32	0	0	0	0	6
Grovetree House	21	0	0	0	0	0
Pine Lodge	34	0	0	0	0	22
The Belfast HSC Trust were unable to provide information on 11 other residential homes in the time frame requested.						

Residential Home	No. of permanent admissions					Current Permanent Occupancy
	2008/09	2009/10	2010/11	2011/12	2012/13	
Northern HSC Trust						
Roddens	6	2	3	3	0	17
Rathmoyle	9	6	7	3	0	19
Pinewood	0	0	0	0	0	11
Rosedale	12	13	5	2	0	19
Greenisland	12	14	9	8	0	15
Clonmore	15	11	8	7	0	18
Lisgarel	7	4	13	2	0	21
Westlands	5	2	5	4	0	16
Joymount	19	5	11	10	0	18
Ellis Court Respite Unit does not have any permanent admissions.						
The Northern HSC Trust were unable to provide information on 3 other residential homes in the time frame requested.						
South Eastern HSC Trust						
Ardview House	8	5	4	3	6	12
Drumlough House	15	9	7	3	7	23
Laurelhill House	13	10	8	15	9	27
Mount Alexander House	8	14	10	8	10	34
Newcroft Lodge	18	12	12	8	8	21
Northfield House	0	1	2	1	0	7
Ravara House*	2	2	0	2	0	-
Struell Lodge	1	1	0	4	1	6
* Ravara House closed in March 2013.						
South Eastern HSC Trust also has 1 respite unit (Hillhall Home) and 1 short stay treatment centre (House 10 Enterprise Court) which do not have permanent admissions.						
Southern HSC Trust						
Roxborough House	7	2	8	7	5	18
Crozier	4	1	3	8	6	17
Skeagh	4	0	8	8	6	12*
Cloughreagh House	4	2	2	5	4	18
Slieve Roe House	5	2	1	2	1	10
* Figure at 27 March 2013 when Skeagh House temporarily closed.						
Western HSC Trust						
Thackeray Place	10	6	5	11	5	26
Rectory Field	14	9	12	10	10	15
William Street	3	2	5	1	1	17
Greenfield	1	1	0	1	1	19
Seymour Gardens	5	5	3	8	9	21
Ralph's Close	-	-	16	1	0	16

Residential Home	No. of permanent admissions					Current Permanent Occupancy
	2008/09	2009/10	2010/11	2011/12	2012/13	
Creamery House	1	0	0	1	0	10
Mantlin Court	-	-	-	-	1	16
Western HSC Trust also has 2 respite units (Respite Cottage and Beltany House) which do not have permanent admissions.						

### Care Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22618/11-15, to publish the precise information he received on 24 April 2013 on the Northern Health and Social Care Trust's "detailed proposals" for the closure of residential homes.

**(AQW 23586/11-15)**

**Mr Poots:** The Department received an email from the NHSCT on 24 April 2013 which included a business case for their proposal, an EQIA, a briefing paper, their consultation document and the response pro forma, that would come before its Board on Thursday 25th April. I am content to place a copy in the Assembly library.

As I have previously advised the member, it was not clear to me, or to the Department, at the point of receiving the proposals from the Northern HSC Trust on 24 April 2013 that most mainstream elderly statutory homes were likely to be under consultation for closure. This was only apparent as other Trusts shared proposals in the days immediately following, which built up the wider picture.

On 3rd May 2013, I called a halt to the Trust consultation proposal process. I have asked the Health and Social Care Board (HSCB) to lead on a new, regionalised process of consultation, which will place at its core the principle of sensitivity to the needs and wishes of older people.

### Care Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22618/11-15, why he did not intervene to prevent the proposal to close all residential homes in the Northern Health and Social Care trust area once he obtained the Trust's "detailed proposals" on 24 April 2013.

**(AQW 23587/11-15)**

**Mr Poots:** The Department received an email from the NHSCT on 24 April 2013 which included a business case for their proposal, an EQIA, a briefing paper, their consultation document and the response pro forma, that would come before its Board on Thursday 25th April. I am content to place a copy in the Assembly library.

As I have previously advised the member, it was not clear to me, or to the Department, at the point of receiving the proposals from the Northern HSC Trust on 24 April 2013 that most mainstream elderly statutory homes were likely to be under consultation for closure. This was only apparent as other Trusts shared proposals in the days immediately following, which built up the wider picture.

On 3rd May 2013, I called a halt to the Trust consultation proposal process. I have asked the Health and Social Care Board (HSCB) to lead on a new, regionalised process of consultation, which will place at its core the principle of sensitivity to the needs and wishes of older people.

### Paediatric Congenital Cardiac Surgery

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22720/11-15, to detail the cost for each procedure listed in Annex A.

**(AQW 23629/11-15)**

**Mr Poots:** The paediatric cardiac surgery procedures referred to in AQW 22720/11-15 were undertaken in 2012/2013 and final costs are not yet available.

### Lifeline 24/7 Crisis Response Helpline

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the number of calls received by the Lifeline 24/7 crisis response helpline, in each month of the last three years.

**(AQW 23632/11-15)**

**Mr Poots:** The table below shows the total number of calls received by the Lifeline 24/7 crisis response helpline, in each month of the last three financial years. This is a combined total (broken down by month) of Lifeline calls answered plus Lifeline calls missed. Taken together, these are classified as 'Lifeline Call Demand'.

	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Total Calls 2010/11	6626	8230	7654	7109	6870	8359	8708	7629	6836	8141	8396	7204	91762
Total Calls 2011/12	6625	8456	8314	8708	7893	7638	9042	8083	8657	9685	8092	9596	100789
Total Calls 2012/13	8902	7573	7956	7665	7846	7336	7837	7910	7480	8318	7820	8879	95522

### Biologic Therapies: Waiting Times

**Mr Wells** asked the Minister of Health, Social Services and Public Safety when the waiting times for biologic drugs will be brought into line with the rest of the UK where patients, in line with the National Institute for Health and Care Excellence guidelines, receive these treatments immediately.

(AQW 23642/11-15)

**Mr Poots:** In England and Wales NHS bodies are expected to have implemented NICE guidance within three months.

The Commissioning Plan Direction has set a target for 2013/14 in respect of biologic therapies that no patient should wait longer than 3 months to commence NICE approved therapies for rheumatoid arthritis, psoriatic arthritis and ankylosing spondylitis; and, no patient should wait longer than 9 months to commence NICE approved specialist treatments for psoriasis, reducing to 3 months by September 2013.

### Northern Trust: Chief Executive

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22617 11/15, who made the appointment to the post; and what involvement he had in the appointment.

(AQW 23665/11-15)

**Mr Poots:** There had been discussions between my Department, the HSCB and the PHA for some time about the need to devote resources to enhance the strategic leadership in e-Health and external collaboration.

Given that Mr Donaghy had agreed to step aside as Chief Executive of the Northern HSC Trust, this new post offered suitable alternative employment to which he could move. His appointment to this post was agreed with the HSCB and while I was not involved in the appointment, I was aware that it was being made.

### Dementia Strategy

**Ms Lo** asked the Minister of Health, Social Services and Public Safety whether it is Departmental policy that people who are diagnosed with Alzheimers or Dementia are routinely referred to a Social Worker after diagnosis.

(AQW 23684/11-15)

**Mr Poots:** As you will be aware I published a Dementia Strategy for Northern Ireland in November 2011. One of the key themes identified within the strategy is Promoting Early Assessment and Diagnosis.

The immediate needs of people who have recently received a diagnosis will vary considerably, depending on the stage of their dementia and other individual needs. People may require care and support from a wide range of health and social care services. Their carers may also require support. A multi-disciplinary approach is therefore required in assessing need (including carer's needs), drawing up and reviewing a care plan and appointing a key worker.

For those in the early stages, initial requirements may be solely for information and advice, with a contact point should they wish to ask further questions later or to seek help as their condition deteriorates.

Under the Quality and Outcomes Framework (QOF), GPs are encouraged to maintain a register of people in their practice who are diagnosed as having dementia. QOF also provides for 15 monthly reviews of people on the dementia registers to ensure their needs are being appropriately met.

### Tobacco: Packaging

**Mr McKay** asked the Minister of Health, Social Services and Public Safety for an update on the proposals to introduce standardised packaging of tobacco products.

(AQW 23700/11-15)

**Mr Poots:** I am supportive of any effective measures which would help to reduce the influence of tobacco advertising on children and young people, and which would help prevent them from smoking.



In view of this, I agreed to Northern Ireland being included in the UK wide consultation exercise on standardised packaging for tobacco products which was led by the Department of Health (London). The consultation summary report has not yet been cleared by Department of Health Ministers and an indication of the direction which England proposes to take on standardised packaging has yet to be announced. It is my view that any move towards the introduction of standardised tobacco packaging would best be taken on a UK wide basis. I have, therefore, written to the Secretary of State for Health in England to encourage him to come to an early decision on this matter.

### Resuscitation Strategy

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety whether the proposed new Resuscitation Strategy will include training for resuscitation following anaphylaxis.  
(AQW 23731/11-15)

**Mr Poots:** The primary focus of the resuscitation strategy is on cardiopulmonary resuscitation (CPR). While CPR may be necessary for helping someone with severe anaphylaxis until medical help is available other forms of treatment may be more appropriate.

### Gender Identity Clinic: Staff Complement

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) full time staff; and (ii) vacancies, within the Gender Identity clinic; and how long the clinic has been operating without a full complement of staff.  
(AQW 23732/11-15)

**Mr Poots:**

- i) Staff in post (as at 4th June) at the Gender Identity Clinic in the Belfast Health and Social Care Trust are shown in the table below.

Grade	Headcount	WTE	Weekly clinic hours
Consultant Psychiatrist	1	0.5	19 hours
Band 7 Nurse	2	2.0	36.5 hours each

**Source:** Belfast HSC Trust

- ii) The Belfast HSC Trust is currently advertising for a locum Consultant Psychiatrist in Psychosexual Gender Identity Medicine. In addition they will be internally transferring an additional experienced Band 7 nurse to the service as of 10th June.
- iii) The Belfast HSC Trust has advised that the two Band 7 Nurse Practitioners may also provide services for individuals with complex psychosexual needs as well as Gender Identity Services.

### Gender Identity Clinic: Waiting Times

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety for an update on the current waiting time for new patient assessment and treatment at the Gender Identity clinic.  
(AQW 23733/11-15)

**Mr Poots:** New patient assessment and treatment at a Gender Identity clinic is only carried out in Belfast HSC Trust.

Belfast HSC Trust has advised that, as of week commencing 3rd June 2013, there are currently 14 individuals awaiting treatment at the Gender Identity clinic and the current waiting time to receive treatment is 6-8 months.

On the 10th June 2013, a new Practitioner will commence assessments which should address this issue.

### Gender Identity Clinic: Waiting Times

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety what action is being taken to ensure that transgender people have timely access to support and treatment during their transition.  
(AQW 23734/11-15)

**Mr Poots:** The Health and Social Care Board has now provided additional investment to enable the further development of Regional Psychosexual and Gender Identity Service provided by Belfast Trust. Whilst acknowledging it will take some time to fill new posts, the Trust is now accepting new referrals and on the 10th June a new Practitioner will commence assessments. The Health and Social Care Board and the Belfast Trust accepts that until all new posts are filled, patients may have to wait longer than the current access standard of 13 weeks, however, waiting times for this service should substantially improve by the end of this year.

### Dental Services: Commitment Payments

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what reforms have been considered that would retain the commitment payment for dentists providing Health Service dental care.

**(AQW 23742/11-15)**

**Mr Poots:** In order to address the pressures on the General Dental Services budget, my Department consulted upon a number of proposed changes to the provision of General Dental Services, including the cessation of commitment payments. A number of the responses included alternative suggestions for addressing the budget pressures and potentially retaining the commitment payment.

All responses to the consultation have been considered carefully. I will shortly be in a position to decide which changes will be taken forward. A summary of the consultation responses will be published alongside the final details of which changes will be introduced.

### Dental Services: Commitment Payments

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to outline the rationale for removing commitment payments to dentists providing Health Service dental care, given that they have opened up access and ensured a high level of dental patient registration.

**(AQW 23743/11-15)**

**Mr Poots:** In order to address the pressures on the General Dental Services budget, my Department developed a number of proposals to change the treatments available to patients and allowances paid to dentists. As commitment to the Health Service and access to dentistry have significantly improved over the past 3 years, my Department re-examined the requirement for continuing to pay out commitment payments. As the conditions which led to the introduction of the allowance are no longer extant, it has been proposed that this allowance would no longer be paid from April 2013.

When considering these proposals, my Department was conscious of the importance of the Practice Allowance in supporting the ongoing running costs of Health Service dental practices. In order to protect the Practice Allowance for the most committed Health Service practices the focus for savings proposals was therefore on the commitment payment.

### Dental Services: Commitment Payments

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what mechanisms are being put in place to reward dentists who register Health Service patients following the removal of the commitment payment.

**(AQW 23744/11-15)**

**Mr Poots:** Dentists who register children or adults as Health Service patients receive monthly capitation and continuing care payments. These payments are increased by up to 50% if the patient lives in an electoral ward that is recognised as having a higher incidence of dental need. Practices who demonstrate their commitment to the Health Service, through registration levels, are eligible to apply for the practice allowance which is an award of up to 11% of the gross Health Service turnover for the practice. The annual practice allowance budget is around £8m. In addition, dentists receive fees for all Health Service treatments provided to their registered patients.

### Dental Services: Operating Costs

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how much Regulation and Quality Improvement Authority requirements have increased the average operating costs for dentists, in each of the last ten years.

**(AQW 23745/11-15)**

**Mr Poots:** The requirement for dental practices providing private dental treatment in Northern Ireland to register with the Regulation and Quality Improvement Authority was introduced in April 2011. There would have been no costs to dentists prior to this. The cost of initial registration is £952 per practice and the charge in subsequent years is £46 per dental chair.

The Regulation and Quality Improvement Authority inspections are primarily concerned with the provision of private dental care and treatment and the Department does not hold information on the costs associated with the provision of private dental services.

### Biologic Therapies: Waiting Times

**Mr Wells** asked the Minister of Health, Social Services and Public Safety whether he has had any contact with the Health and Social Care Board to ensure that Commissioning Plans include a target to reduce the waiting times for Biologic drugs to zero.

**(AQW 23762/11-15)**

**Mr Poots:** I am committed to using health service resources effectively and providing the best possible access to specialist medicines that we can within the funding available.

The current Commissioning Plan Direction therefore sets the focus for the Health and Social Care Board and the Public Health Agency in the commissioning of health and social care services during the year 1st April 2013 to 31st March 2014. The Commissioning Plan Direction has set a target for 2013/14 in respect of biologic therapies that no patient should wait longer

than 3 months to commence National Institute for Health and Care Excellence (NICE) approved therapies for rheumatoid arthritis, psoriatic arthritis and ankylosing spondylitis; and no patient should wait longer than 9 months to commence NICE approved specialist treatments for psoriasis, reducing to 3 months by September 2013.

### **Abortion: DHSSPS Guidance**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the extensive work programme undertaken to produce the draft guidance on The Limited Circumstances For A Lawful Termination Of Pregnancy In Northern Ireland; and who was involved in this programme.

**(AQW 23793/11-15)**

**Mr Poots:** My Department's Termination of Pregnancy Working Group has undertaken a significant body of work to produce guidance for health professionals in line with the law in Northern Ireland. The group consists of medical, nursing, legal and policy expertise.

The guidance document currently issued for consultation is the result of the careful consideration of medical, nursing and legal views, as well as those of other interested groups, emerging from the various consultations that the Department has run stretching back to the Court of Appeal order in October 2004. The Court of Appeal Order instructed that the Department should inquire into the adequacy of termination of pregnancy services in Northern Ireland (including aftercare) and following appropriate inquiry and consultation, issue guidance if it was required.

Following the Order, a Departmental Group commissioned a workshop and survey to gather the views of health professionals in the field. The Group determined that there was a need for guidance, and a draft was prepared and consulted upon in 2007. This work included a series of bilateral meetings with a range of stakeholder groups. The Northern Ireland Assembly debated the guidance and passed a resolution that opposed its introduction on 22 October 2007. The then Minister asked the Chief Medical Officer to convene a Termination of Pregnancy Working Group to consider the views raised. Following a number of meetings the working group produced revised guidance which it released for public consultation in July 2008.

Following reflection on the views raised in the consultation, revised draft guidance was produced and provided to the Health Committee on 17 October 2008 for an evidence session with Departmental officials. Clearance to issue the guidance was received from the Northern Ireland Executive on 5 March 2009 and the guidance was published on 13 March 2009.

The March 2009 document was challenged in court by the Society for the Protection of the Unborn Child (SPUC) and in November 2009 Lord Justice Girvan gave his judgement to the Judicial Review. He found in favour of the Department in five of the seven grounds and that two parts "failed to give fully clear and accurate guidance". However, he held that the statement of the law on termination of pregnancy contained in the guidance was correct. He ordered the Department to reconsider the sections in the document on counselling and conscientious objection. While these sections were being redrafted, interim guidance was issued. The interim guidance was threatened by further legal challenge by SPUC.

The Department withdrew the interim guidance and published a revised version of draft guidance on 27 July 2010. Consideration was given to consultation responses received. The Department provided draft guidance and a summary of consultation responses to the Health Committee in February 2011. The guidance was submitted to the Executive for approval, but not considered before the Assembly was dissolved in March 2011.

Since my appointment as Health Minister, I have given careful consideration to the development and publication of guidance that satisfies the requirements of the law and provides advice to health professionals. I have discussed the matter with officials to ensure the current draft is robust, and have sought clarification and assurance on a number of issues. I am content that the current draft guidance, The Limited Circumstances for a Lawful Termination of Pregnancy in Northern Ireland, meets the requirements emerging from the 2004 Court of Appeal order.

The current document is out for public consultation until 29 July and will receive further consideration in light of responses received during the consultation process. It will then be provided to the Executive for their approval.

### **Abortion: DHSSPS Consultation**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to identify the range of stakeholder groups that were engaged in the formal consultation exercises and informal discussions to produce the draft guidance on The Limited Circumstances For A Lawful Termination Of Pregnancy In Northern Ireland.

**(AQW 23794/11-15)**

**Mr Poots:** Development of the draft guidance document began following the Court of Appeal Order in 2004. Since then, the Department has held a number of public consultation exercises on various versions of the guidance.

Responses to previous consultation have been received from a range of stakeholders including Royal College of Obstetricians and Gynaecology, Royal College of Nursing, Royal College of Midwives, Royal College of General Practitioners, Royal College of Psychiatrists, British Medical Association, Health and Social Care Boards and Trusts, the Public Health Agency as well as individual Doctors. Responses have also been received from a range of groups including Evangelical Alliance Northern Ireland, Family Planning Association, Society for Protection of Unborn Children, Precious Life, Life NI, Doctors for Life, Northern Catholic Bishops, Women's Resource and Development Agency, Northern Ireland Human Rights Commission and Alliance for Choice. This list is not exhaustive.

Meetings that have taken place include discussions with doctors from a range of specialties, a workshop to assess health professionals views and meetings with stakeholder groups. The Department met with the Royal College of Psychiatrists to discuss elements of the current draft to ensure those elements are fit for purpose.

Views expressed by the above organisations and groups were considered during the development of the current draft which is out for public consultation until 29 July. The Department has encouraged stakeholder groups to make their views known.

### Care Homes: Slievemore Unit, Derry

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline the next steps on the future of the Slievemore Unit, Derry.

**(AQW 23796/11-15)**

**Mr Poots:** Slievemore Unit did not close on 31 May 2013. Discussions have been ongoing between the Department, RQIA and Trust officials in an attempt to explore all avenues possible in order to find a resolution which will allow matters to move forward. I also met with Elaine Way, CEO WHSCT, on Monday 3 June to discuss this matter. I emphasised that the safety and care for the six remaining residents continues to be my first concern. .

I have recently written to the Commissioner for Older People in Northern Ireland to ask her to mediate between organisations and families with the aim of giving all parties sufficient opportunity for meaningful engagement.

### GP Appointments: Cost

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what is the average cost to the Health Service of an appointment with a GP.

**(AQW 23817/11-15)**

**Mr Poots:** The average cost of an appointment with a GP was £28 in 2011/12 which is the latest year available.

### Accident and Emergency Attendance: Cost

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to detail the average cost of attendance at an (i) Accident and Emergency Department; and (ii) an Accident and Emergency Department, broken down by the different categories used for recording attendance.

**(AQW 23818/11-15)**

**Mr Poots:**

- (i) The average cost of attendance at an Accident & Emergency Department in 2011/12 (latest information available) was £126.
- (ii) The cost of attendance at an A&E Department broken down by the different categories used for recording attendance are not collected centrally and can therefore only be provided at disproportionate cost.

### Out-patient Appointments: Cost

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to detail (i) the average cost of an out-patient appointment with a Consultant; and (ii) the average cost of an out-patient attendance with a Consultant, broken down by medical speciality.

**(AQW 23819/11-15)**

**Mr Poots:**

- (i) The average cost of an Outpatient attendance is estimated to be £160.
- (ii) The average cost of an Outpatient attendance with a Consultant, broken down by medical speciality is set out in the table below;

Specialty	Total Costs Per Attendance £
100 General Surgery	162
101 Urology	143
110 T & O surgery	153
120 ENT	155
130 Ophthalmology	144
140 Oral surgery	157
142 Paediatric dentistry	114

<b>Specialty</b>	<b>Total Costs Per Attendance £</b>
143 Orthodontics	203
150 Neurosurgery	394
160 Plastic surgery	91
170 Cardiac surgery	208
171 Paediatric surgery	159
172 Thoracic surgery	174
180 A&E	126
190 Anaesthetics	176
191 Pain management	156
300 General medicine	195
301 Gastroenterology	161
302 Endocrinology	183
303 Haematology	130
311 Clinical genetics	2,427
314 Rehabilitation	99
315 Palliative medicine	67
320 Cardiology	185
330 Dermatology	93
340 Thoracic medicine	281
350 Infectious Diseases	110
360 Genito urinary medicine	369
361a Nephrology	176
370a Medical Oncology (does not include Chemo/Radio Drugs costs)	266
400 Neurology	447
410 Rheumatology	157
420 Paediatrics	194
421 Paediatric Neurology	591
430 Geriatric medicine	245
450 Dental medicine specialties	68
501 Obs & Gyn (Obstetrics)	106
502a IVF and Other Fertility Treatments	167
502b Gynaecology (Excluding IVF and Other Fertility Treatments)	117
700 Mental Handicap	251
710 Mental illness	242
711 Child & Adolescent Psychiatry	367
713 Psychotherapy	358
715 Old age psychiatry	285
800 Clinical Oncology	143
822 Chemical Pathology	174
823 Haematology	147

## Negligence Cases: Compensation Payments

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety how much his Department has paid out (i) in medical negligence cases to plaintiffs; (ii) in legal fees related to negligence cases; (iii) to the lawyers retained by his Department; and (iv) to the legal teams used by plaintiffs suing his Department, in each of the last three years.

**(AQW 23832/11-15)**

**Mr Poots:** The information requested is set out in the table below.

	2012/13 £m	2011/12 £m	2010/11 £m
Compensation paid	19	18	23
Plaintiff costs	5	7	4
Defence costs (excl *DLS)	3	2	3
Directorate of Legal Services costs	1	1	1
<b>Total</b>	<b>28</b>	<b>29</b>	<b>32</b>

\* DLS – Directorate of Legal Services

## Care Homes: Closure

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety whether he proposes to take any further action against the Health and Social Care Trusts which have breached his Department's policy on the closure of elderly care homes.

**(AQW 23835/11-15)**

**Mr Poots:** Proposals – and not decisions - were brought forward by individual HSC Trusts. On 3rd May 2013, I called a halt to the Trust consultation proposal process. I have asked the Health and Social Care Board (HSCB) to lead on a new, regionalised process of consultation, which will place at its core the principle of sensitivity to the needs and wishes of older people.

My concern has always been to ensure that pace of change is such as to ensure that resident's views and wishes are being heard and accommodated where reasonably possible.

I am content that the actions I have taken now allow for that to happen.

## Health Trusts: Staff Employed

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the (i) medical; and (ii) administrative staff employed in each Health and Social Care Trust, broken down by grade.

**(AQW 23838/11-15)**

**Mr Poots:**

- i) Headcount and whole-time equivalent figures for medical staff in each Health and Social Care Trust, as at 31st March 2013, are shown in the table below.

Grade	Belfast HSCT		Northern HSCT		South Eastern HSCT		Southern HSCT		Western HSCT	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Consultant	633	600.1	205	193.5	213	199.6	200	191.2	213	208.9
Associate Specialist/Staff Grade	63	50.6	32	29.7	29	24.9	35	30.4	36	30.1
Specialty Doctor	59	48.2	59	45.4	58	41.3	74	63.0	34	29.7
Specialty Registrar/Core Trainee/Locum Appt for Training/ Locum Appt for Service	576	564.5	154	151.5	164	158.6	153	150.5	155	153.7
Foundation Doctors	214	213.2	90	90.0	83	82.7	70	70.0	71	71.0
Hospital/Medical Practitioner	27	16.1	18	5.8	21	6.6	8	2.7	5	2.1

Grade	Belfast HSCT		Northern HSCT		South Eastern HSCT		Southern HSCT		Western HSCT	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Other Medical & Dental	17	17.0	1	1.0	0	0.0	3	1.2	2	1.1

Source: Human Resources Management System

**Table notes:**

- 1 Figures exclude staff on career break and staff with a whole-time equivalent less than or equal to 0.03. HC=headcount, WTE= whole-time equivalent.
- 2 'Other Medical and Dental' covers a variety of small groups of medical staff, such as GP Facilitators, Clinical Research Fellows and Medical Officers.
- ii) Headcount and whole-time equivalent figures for administrative and clerical staff in each Health and Social Care Trust, as at 31st March 2013, are shown in the table below.

Grade	Belfast HSCT		Northern HSCT		South Eastern HSCT		Southern HSCT		Western HSCT	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Bands/Grades 1 to 4	2106	1775.6	1151	930.8	986	802.6	1213	993.6	1038	893.5
Medical/ Personal Secretaries/ Typists	575	474.4	458	375.5	281	239.1	231	184.6	322	283.1
Bands/Grades 5 to 7	636	603.1	273	254.0	253	237.8	282	261.6	307	298.7
Band 8A to 8D	176	174.6	67	65.8	114	111.6	67	64.1	63	61.7
Non-AfC Senior Managers/ Executives/Chief Executives/ Directors	12	12.0	10	10.0	9	9.0	9	9.0	10	10.0

Source: Human Resources Management System

**Table notes:**

- 1 Figures exclude staff on career break and staff with a whole-time equivalent less than or equal to 0.03 and members of Boards/Chairperson. HC=headcount, WTE= whole-time equivalent, non-AfC = non-Agenda for Change grades.
- 2 Figures may include non-Trust staff on the payroll for payments purposes only.
- 3 Trusts may differ in coding of senior manager/director, preferring to code with the profession, rather than Admin & Clerical.

### Hospital Stays: Costs

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what is the average daily cost of a stay in hospital; and the average daily cost broken down by medical speciality.

(AQW 23854/11-15)

**Mr Poots:** The average daily cost of a stay in hospital differs significantly between patients and is subject to a range of variables including the diagnosis, procedures performed and the complexity of the case. In this context, it is not possible to provide a single average daily cost per patient for a stay in hospital.

### Gender Identity Clinic: Waiting List

**Ms Lo** asked the Minister of Health, Social Services and Public Safety how many people are on the waiting list for assessment and treatment with the Regional Psychosexual and Gender Identity Service.

(AQW 23857/11-15)

**Mr Poots:** Refer to answer in AQW 23733/2011-15.

### Tourette's Syndrome

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety what services are available in each Health and Social Care Trust for people diagnosed with Tourette's syndrome; and to detail the location of these services.

**(AQW 23864/11-15)**

**Mr Poots:** In the event of a person with Tourette's Syndrome being referred into services they will be assessed and signposted at Primary Mental Health Care level to the relevant existing services in general Psychiatry/Psychology.

### Care Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the announcement by the Northern Health and Social Care Trust that it intended to close all its residential care homes, and the award of £14m in contracts to private domiciliary care providers, to detail (i) the business cases for these contracts; (ii) whether contracts worth over £500,000 were subject to approval by the Department of Finance and Personnel; and (iii) whether these contracts were made to preempt, or in conjunction with, the closure of the statutory residential homes.

**(AQW 23867/11-15)**

**Mr Poots:** The Northern HSC Trust has indicated that it is not aware of £14m in contracts being awarded to domiciliary care providers in their area and therefore the information requested cannot be provided.

### Pinewood Residential Home

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many admissions were made to Pinewoods Residential home for (i) long-term; (ii) respite; and (iii) step up or step down placements, in each year since 2009.

**(AQW 23868/11-15)**

**Mr Poots:** This information is not held centrally and was therefore requested from the Northern Health and Social Care (HSC) Trust. The information provided is held in Table 1 below.

**Table 1. Admissions to Pinewood Residential Care Home**

Year	Admission Type			Total
	Permanent	Respite	Intermediate Care	
2008/09	0	48	0	48
2009/10	0	15	78	93
2010/11	0	66	101	167
2011/12	0	34	125	159
2012/13	0	13	149	162

### Care Homes: Closure

**Mr Allister** asked the Minister of Health, Social Services and Public Safety for his assessment of the statement by the Director of Older Persons' Services in the Northern Health and Social Care Trust, at the Trust Board on 25 May 2013, that no one was upset by the plans to close residential care homes; and what action he has taken against Trusts since his decision to remove their power to close statutory residential homes.

**(AQW 23869/11-15)**

**Mr Poots:** I have been advised that the statement you refer to was part of a briefing by the Director of Older Person's Services to inform the Trust Board of the feedback she had received from the staff who had carried out individual interviews with residents and their families on Friday 26th April. These staff had advised that no resident was distressed when they left the homes having carried out the interviews.

On 3rd May 2013, I called a halt to the Trust consultation process. I have asked the Health and Social Care Board (HSCB) to lead on a new, regionalised process of consultation, which will place at its core the principle of sensitivity to the needs and wishes of older people.

My concern has also always been to ensure that pace of change is such as to ensure that resident's views and wishes are being heard and accommodated where reasonably possible.

I am content that the actions I have taken now allow for all of this to happen.



### Adoption: Same-sex Couples

**Mr Lynch** asked the Minister of Health, Social Services and Public Safety what status married same-sex couples with adopted children will have if they move from England or Wales to live here after the relevant Westminster legislation is passed. (AQO 4255/11-15)

**Mr Poots:** The Marriage (Same Sex Couples) Bill seeks to give effect to the UK Government's decision to introduce same sex marriage in England and Wales. Northern Ireland is not introducing same sex marriage and, accordingly, the Bill provides for an English or Welsh same sex marriage to be treated as a civil partnership in Northern Ireland.

This has prompted queries with regard to the status of a married same-sex couple with adopted children. I am assuming that the Member is endeavouring to establish whether the couple will still be regarded as the child's parents.

An adoption order granted in England, Wales and Scotland is recognised in Northern Ireland under Article 2 of the Adoption (Northern Ireland) Order 1987. This position will not change with enactment of the Marriage (Same Sex Couples) Bill, nor with the introduction of the Adoption and Children Bill, which will continue to recognise adoption orders made in England, Wales and Scotland. Likewise, adoption orders made in Northern Ireland are recognised in other parts of the UK. This mutual recognition arrangement is designed to ensure that children and adoptive parents have access to the post adoption supports they require, regardless of where in the UK they reside.

### Prisoners: Mental Illness

**Ms Brown** asked the Minister of Health, Social Services and Public Safety to detail the services available to prisoners who have been diagnosed with a mental illness. (AQO 4270/11-15)

**Mr Poots:** The South Eastern Health and Social Care Trust, which has responsibility for the provision of health services in prisons, has advised that prisoners have access to a range of mental health services similar to those available in the community to the general public. Access to services is based on the clinical needs of the individual.

### Northern Trust: Chairperson Vacancy

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety how many applications the Northern Health and Social Care Trust has received for the vacant role of Chairperson; and whether any reorganisation of the Chairperson's roles and responsibilities are planned. (AQW 23896/11-15)

**Mr Poots:** A total of 4 applications were received for the Chair post on the Northern Health and Social Care Trust. Due to the small pool of applicants, it is the Department's intention to re-advertise and is now in the planning stage.

I can confirm that no reorganisation of the Chairperson's roles and responsibilities are planned. The role and responsibilities of the Board and Chair are set out in the Trust's Management Statement.

### Podiatry Appointments: Waiting Times

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety what are the current waiting times for podiatry appointments in the Southern Health and Social Care Trust. (AQW 23897/11-15)

**Mr Poots:** This information is not held centrally and was therefore requested from the Southern Health and Social Care (HSC) Trust.

Information on clients waiting for the commencement of podiatry treatment as at 3 June 2013 is detailed in the table below by aggregate time bands.

HSC Trust	Waiting time from referral to commencement of treatment for Podiatry (by weeks waiting)					Total
	0-3	>3 to 6	>6 to 9	> 9 to 13	> 13	
Southern	326	368	296	125	5	1,120

**Note:** Information refers to active waits.

### Multiple Sclerosis

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how many patients at each GP surgery, in each Health and Social Care Trust, are diagnosed with Multiple Sclerosis. (AQW 23902/11-15)

**Mr Poots:** The information requested is not available.

### Northern Trust: Travel Expenses

**Mr McKay** asked the Minister of Health, Social Services and Public Safety whether the Northern Health and Social Care Trust is proposing to amend the travel expenses paid to community nurses and care workers from 1 July 2013.

**(AQW 23925/11-15)**

**Mr Poots:** The new mileage rates from 1 July 2013, for all HSC staff employed under Agenda for Change terms and conditions, will be 67 pence per mile for the first 3,500 miles and 24 pence per mile thereafter. These new travel reimbursement arrangements are a National Agenda for Change Agreement negotiated with the Main National Health Service Trade Unions.

### Learning Disabilities: Southern Trust

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many people in the Southern Health and Social Care Trust area have a severe learning disability.

**(AQW 23927/11-15)**

**Mr Poots:** Under the Quality & Outcomes Framework (QOF), GPs maintain a register of the number of patients aged 18 years and over with learning disabilities. The register includes all patients with learning disabilities, regardless of the severity of their condition. It is not possible to disaggregate the data to determine how many patients have severe learning disabilities.

As at 31 March 2013, there were 2,006 patients on the learning disability registers of GPs located in Southern Health and Social Care Trust area.

This figure has been determined based on the constituency in which the GP practice is located; it should be noted that patients may not reside in the constituency in which their practice is located.

### Accident and Emergency: Patient Numbers

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many patients were processed at each Accident and Emergency Department, in each of the last five years.

**(AQW 23933/11-15)**

**Mr Poots:** It is assumed that this question refers to the number of patients attending each Accident and Emergency department, in each of the last five years.

Information on attendances (new, unplanned and/or planned reviews) at emergency care departments is published on an annual basis and is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3.htm)

Information for 2012/13 is due to be published on the 27th June 2013.

### Stroke: Lysis Treatment

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 21822/11-15, how many times in the last twelve months a patient at (i) the Causeway Hospital; and (ii) Antrim Area Hospital attended the Accident and Emergency department and, having been diagnosed with a CVA, received stroke Lysis treatment.

**(AQW 23949/11-15)**

**Mr Poots:**

- (i) For the twelve months April 2012 – March 2013, 10 patients attended Causeway Hospital A&E and, having been diagnosed with a cerebrovascular accident (stroke) received Lysis treatment.
- (ii) For the twelve months April 2012 – March 2013, 24 patients attended Antrim Hospital A&E and, having been diagnosed with a cerebrovascular accident (stroke) received Lysis treatment.

### Learning Disabilities: Tenancy Test

**Ms McGahan** asked the Minister of Health, Social Services and Public Safety whether there is a statutory obligation on Health and Social Care Trusts to carry out a tenancy test and apply it to people with learning disabilities, to ensure that the person is fit to live independently.

**(AQW 23953/11-15)**

**Mr Poots:** The Health and Social Care Trusts do not have a statutory obligation to carry out a tenancy test for adults with a Learning Disability.

A tenancy test does not indicate an individual's ability to live independently - this is determined by a comprehensive assessment of need. In some cases the person may be assessed as able to live independently whereby for others varying degrees of support and assistance will be required for the individual/s to maintain their own tenancy.

HSC Trusts do not award tenancies. These are delivered through provider organisations and the Northern Ireland Housing Executive.

### Civil Service: DHSSPS Salaries

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail the number of civil servants employed in his Department who are in receipt of a salary in excess of £100,000.

**(AQW 23957/11-15)**

**Mr Poots:** Two senior officials in my Department (one Civil Servant and one Seconded In) are currently paid in excess of £100,000 per annum.

### Civil Service: Late Payment Regulations

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 19675/11-15 and following the transposition of the revised Late Payment Regulations and the publication of DAO (DFP) 04/13 on 12 March 2013, to detail (i) the precise payment terms that now apply to supply contract SS16A; (ii) the date of which the revised payment terms became effective; (iii) to which transactions these revised payment terms apply; and (iv) the date from which these revised payment terms are to apply.

**(AQW 24003/11-15)**

**Mr Poots:**

(i) The payment terms set out in the Price and Payment section of the revised supply contract SS16A are as follows:

#### Price and Payment

- The Contract price shall be net, i.e. after the deduction of all agreed discounts. It shall include the cost of packaging, packing materials, addressing, labelling, loading and delivery to the addresses named in the Contract or order. The amount of any duty additional to the Contract price and any early settlement discounts shall be shown separately in the Contract.
- Payment shall be made by the Authority in accordance with the Late Payment of Commercial Debts (Interest) Act 1998 (as amended by the 2013 Regulations) no later than 30 days after the Authority completes its procedure for verification and acceptance of the goods provided that a valid Contractor's invoice is received by the Authority on or before the completion of its verification or acceptance procedure. The said procedure for verification or acceptance of the goods shall (unless otherwise expressly agreed in writing between the parties) be completed within 30 days from the date of delivery of the goods.
- Invoices should be quoted in Sterling (GBP) and forwarded to the address as indicated on the purchase order or as advised by the Authority and/or Organisation.
- An invoice shall be rendered on the Contractor's own invoice form to the Authority, clearly marked with the Authority's order number and quoting the Contract Reference. Where the invoice submitted by the Contractor contains an error such that the invoice cannot be processed by the Authority for payment, the Authority will reject the invoice and return it to the Contractor for correction. In such a case, time for payment of the rejected invoice will not start to run until a fully corrected valid invoice is received by the Authority.
- The Authority should pay the Contract price to the Contractor, by BACS (Bank Account Clearing System) if the Authority so chooses.
- Whenever under the Contract any sum of money shall be recoverable from or payable by the Contractor the same may be deducted from any sum then due or which at any time thereafter may become due to the Contractor under the Contract or under any other Contract with the Authority.

(ii) The payment terms apply to all contracts awarded on or after 16th March 2013 in line with the revised legislation.

(iii) The revised payment terms apply to all transactions against contracts awarded on or after 16th March 2013.

(iv) The revised payment terms apply from 16th March 2013

### Food Delivery Vehicles: Regulations

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what regulations are in place to regulate food delivery vehicles.

**(AQW 24010/11-15)**

**Mr Poots:** This is a matter for the Food Standards Agency, which is a non-ministerial government department. The FSA has advised as follows.

With regard to regulation of food delivery vehicles from a food hygiene perspective, this is provided for in Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs. This Regulation lays down general rules on the hygiene of foodstuffs that apply to all food business operators and includes specific requirements in relation to transport. This European Regulation is enforced in Northern Ireland through the provisions of The Food Hygiene Regulations (Northern Ireland) 2006 (as amended).

## Dental Services: Disposable Instruments

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether there is currently a clinical problem with cross-infection in dental surgeries that warrants the increased use of single use disposable dental instruments.

**(AQW 24021/11-15)**

**Mr Poots:** There is not currently a clinical problem with cross-infection in dental surgeries that warrants the increased use of single use disposable dental instruments.

Some items that are difficult to clean and decontaminate are manufactured for single-use only and disposal, such as endodontic files for root canal treatments. Some dentists use other disposable products, which are relatively cheap to mass produce in disposable form, as they save on the reprocessing time for cleaning and decontamination. Examples are saliva ejectors, cups and disposable scalpels. However, most dental instruments are re-usable after undergoing appropriate cleaning and decontamination processes. Most dental care and treatment is provided in High Street dental practices and the DHSSPS PEL (12)23 guidance for Northern Ireland allows for the local decontamination and re-use of dental instruments in these primary care dental settings.

Different guidance applies to Trust-based dental services, i.e. the Community Dental Services and Hospital Dental Services, which come under the Regional Decontamination Strategy. DHSSPS policy is that these decontamination requirements must be met from Sterile Service Departments (SSD) accredited to the essential requirements of the Medical Device Regulations. Only the Belfast Health and Social Care Trust (BHSCT) uses single-use metal filling instruments. The BHSCT includes a relatively large number of dental clinics as well as the Royal Dental Hospital. The BHSCT uses a large volume of instruments and has decided this is the most cost-effective option, given that the disposable instruments meet the requirements for clinical use.

## Epilepsy: Patients Aged under 18

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many people under the age of 18 in each Health and Social Care Trust area are diagnosed with epilepsy.

**(AQW 24046/11-15)**

**Mr Poots:** The information requested is not available.

Under the Quality & Outcomes Framework (QOF), GPs maintain a register of the number of patients aged 18 and over who are currently on drug treatment for epilepsy. The register does not include patients under the age of 18 as care for younger patients is generally undertaken outside of primary care.

## Alcohol: Cost of Abuse

**Mr Weir** asked the Minister of Health, Social Services and Public Safety for an estimate of the annual cost to the Health Service for dealing with alcohol abuse.

**(AQW 24047/11-15)**

**Mr Poots:** Research ([http://www.dhsspsni.gov.uk/social\\_costs\\_of\\_alcohol\\_misuse\\_200809.pdf](http://www.dhsspsni.gov.uk/social_costs_of_alcohol_misuse_200809.pdf)) commissioned by my Department placed the annual cost of alcohol misuse to the Health and Social Care system at up to £240 Million in 2008/09. The breakdown of these costs is as follows:

Area	Upper cost estimate
GP-prescribed drugs	£0.3M
GP/practice nurse consultations attributable to alcohol	£14M
Laboratory testing in primary care	£0.1M
Hospitalisation days – acute	£72.1M
Hospitalisation days – mental illness	£10.8M
A&E attendances	£30.5M
Outpatient hospital visits	£5.4M
Day hospital visits – mental illness	<£0.1M
Day hospital visits – non-mental illness	£2.1M
Community psychiatric teams	£5.3M
Health promotion	£0.4M
Drug and Alcohol Coordination Teams	£4.3 M
Ambulance journeys	£12.6M
Children and family services	£69.2M

Area	Upper cost estimate
Youth justice	£4M
Criminal justice social work	£8.8M
Total Estimated Cost to HSC	£240m

In the same report, total social cost to Northern Ireland of alcohol misuse was estimated at up to £881.1 Million.

### Rush Hall Care Home, Limavady

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what investigations are on-going into the complaints made about Rush Hall Care Home, Limavady.

**(AQW 24051/11-15)**

**Mr Poots:** Abuse of vulnerable adults wherever it occurs and whoever is responsible is wrong and cannot be tolerated; it is particularly abhorrent when the abuse is perpetrated by the very individuals entrusted with the care of vulnerable people.

Making sure that vulnerable people and their rights are fully safeguarded, wherever they live, is a key shared responsibility.

I cannot comment on the specifics of the cases in Rush Hall, as they are the subject of formal investigation by the PSNI.

I can confirm however that the Western Trust will work closely with the PSNI and the Independent Sector Provider involved. This is part of a Joint Protocol which allows for multi-agency co-operation in such cases.

### Care Homes: Ownership

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many (a) executive or non-executive members of (i) Health & Social Care Trusts; (ii) the Health and Social Care Board; (iii) local commissioning groups; (iv) the Public Health Authority; (v) the Patient Client Council; (vi) the Business Services Organisation; (vii) the Regulation and Quality Improvement Authority; (viii) the Northern Ireland Ambulance Service; and (ix) the Northern Ireland Social Care Council; and (b) officials at Senior Civil Service level within his Department, have interests on the registrar that include ownership of residential or nursing homes for older people.

**(AQW 24065/11-15)**

**Mr Poots:** The Boards of all HSC bodies and the Department must keep registers of interest appropriate to the bodies' activities. Chairs and board members must, on appointment, declare any potential conflicts of interests such as business interests, position of authority in a charity or voluntary body in the field of health and social care, and any connection with a voluntary or other body contracting for HSC services. All board members should declare any conflict of interest that arises in the course of conducting HSC business. In relation to the questions asked the information would be recorded on the HSC Bodies and the Department's Register of Interest which are available on request, from the relevant body, for public inspection. The current Departmental register of interest does not record that any Senior Civil Servants in the Department have declared interests of the types identified in these three Assembly questions.

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**(AQW 24066/11-15)**

**Mr Poots:** The Boards of all HSC bodies and the Department must keep registers of interest appropriate to the bodies' activities. Chairs and board members must, on appointment, declare any potential conflicts of interests such as business interests, position of authority in a charity or voluntary body in the field of health and social care, and any connection with a voluntary or other body contracting for HSC services. All board members should declare any conflict of interest that arises in the course of conducting HSC business. In relation to the questions asked the information would be recorded on the HSC Bodies and the Department's Register of Interest which are available on request, from the relevant body, for public inspection. The current Departmental register of interest does not record that any Senior Civil Servants in the Department have declared interests of the types identified in these three Assembly questions.

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Council; and (b) officials at Senior Civil Service level within his Department, hold a non-remunerated position on the board of a private residential nursing home.

**(AQW 24067/11-15)**

**Mr Poots:** The Boards of all HSC bodies and the Department must keep registers of interest appropriate to the bodies' activities. Chairs and board members must, on appointment, declare any potential conflicts of interests such as business interests, position of authority in a charity or voluntary body in the field of health and social care, and any connection with a voluntary or other body contracting for HSC services. All board members should declare any conflict of interest that arises in the course of conducting HSC business. In relation to the questions asked the information would be recorded on the HSC Bodies and the Department's Register of Interest which are available on request, from the relevant body, for public inspection. The current Departmental register of interest does not record that any Senior Civil Servants in the Department have declared interests of the types identified in these three Assembly questions.

### **Paediatric Allergy Service: Belfast Trust**

**Dr McDonnell** asked the Minister of Health, Social Services and Public Safety whether dietician services have ever been or are currently provided within the Belfast Health and Social Care Trust Paediatric Allergy Service; and to outline the reasons for this position.

**(AQW 24070/11-15)**

**Mr Poots:** There has never been a dedicated dietetic support for the paediatric allergy/immunology clinics held in the Royal Belfast Hospital for Sick Children (RBHSC) or the day case treatments which take place in the Immunology Day Centre. The dietetic service is not involved in food challenges for these patients.

General paediatric dieticians working in RBHSC see allergy patients who are resident in the Belfast Health and Social Care (HSC) Trust area as in patients and outpatients at RBHSC and community clinics; these referrals are from the immunology/allergy consultants with clinics in RBHSC and other paediatricians.

If the patient is not from the Belfast HSC Trust area, the referral is forwarded to the GP with a covering letter asking for a referral to be made to the local Trust dietetic services.

### **Never Events**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether he has sought or obtained information on Never Events; and when this information was sought and to what effect.

**(AQW 24092/11-15)**

**Mr Poots:** I have not sought or obtained information on 'Never Events', as incidents such as those defined by the National Patient Safety Agency (NPSA) as 'Never Events' fall within the Serious Adverse Incident (SAI) reporting criteria and consequently are captured under HSC Board's Serious Adverse Incident (SAI) Reporting System

### **Organ Donation: Opt-out Scheme**

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether, at the joint Organ Donation announcement with the Office of the First Minister and deputy First Minister on 5 February 2013, an undertaking was given that the Executive would move towards a position of introducing a soft opt-out system of organ donation.

**(AQW 24097/11-15)**

**Mr Poots:** On 5 February 2013 I announced my intention to consult on public attitudes towards organ donation, including the possible introduction of an opt-out system, which would be accompanied by a strong message to join the organ donor register. This work is being taken forward by the Public Health Agency in the form of a public survey and focus group meetings with key stakeholders. A decision on the next steps for increasing organ donation in Northern Ireland will be taken when the findings of this work are known later this year. A major public information campaign is also planned for later this year.

## **Department of Justice**

### **Prisoners: Accompanied on Temporary Leave**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21633/11-15, whether the approving Governor was also the Governor who accompanied Mr Parker on the day in question; (ii) whether this is routine practice; and (iii) if not, what level of Governor is assigned for accompaniment on such occasions.

**(AQW 22586/11-15)**

**Mr Ford (The Minister of Justice):** I have been informed by the Governor of Maghaberry that the governor who accompanied Mr Parker on the day in question was also the approving governor. This would not be routine practice. Accompanied Temporary Release procedures do not specify the grade of accompanying officers.

## Drugs: Maghaberry

**Lord Morrow** asked the Minister of Justice whether consideration has been given to a pilot project in Maghaberry Prison, aimed at the use of illegal drugs, whereby all medication is dispensed per dose per prisoner; introducing supervised swallowing for all prisoners on prescribed medication; mandatory fully supervised daily drugs testing, and mandatory reporting to the PSNI of all prisoners caught with illegal drugs with a view to court prosecution and conviction.

**(AQW 23268/11-15)**

**Mr Ford:** The Northern Ireland Prison Service (NIPS) and the South Eastern Trust (SET) worked in partnership to introduce supervised swallow arrangements for high value, tradable medication across the Service. Both NIPS and SET agreed that other medications did not present the same risk, and there was no value in extending the arrangements given the unacceptable demand this would place on healthcare staff, and the implications for delay in delivering the regime. Supervised swallow arrangements are presently being introduced at Maghaberry.

Mandatory, suspicion and progression-linked drug testing is regularly carried out at all prisons.

Prisoners and visitors to the prison found to be in possession of illegal drugs are routinely referred to the PSNI for investigation with a view to prosecution.

## Brendan Lillis

**Lord Morrow** asked the Minister of Justice for an update on the status of the case against Brendan Lillis; and whether the charges against him are being held in abeyance until he is fit to stand trial.

**(AQW 23526/11-15)**

**Mr Ford:** Mr Lillis is living in the community on a reinstated life licence, his release having been directed by the Parole Commissioners in August 2011.

The status of the case against him, including any outstanding charges and whether he is fit to stand trial on such charges, is not a matter for the Department of Justice.

## Prisoners: Compassionate Leave Requests

**Lord Morrow** asked the Minister of Justice how many prisoners were refused compassionate leave in each of the last two years; and how many of these decisions were overturned on appeal or by Judicial Review.

**(AQW 23529/11-15)**

**Mr Ford:** The number of Compassionate Temporary Release applications refused by NIPS in each of the last two years is:

Year	No. of CTR applications refused
2011	222
2012	337
*2013	141

\* 1 January - 30 April

Four decisions have been overturned at judicial review, three in 2012 and one, to date, in 2013.

## Joseph McManus

**Lord Morrow** asked the Minister of Justice, in relation to Joseph McManus who absconded whilst on compassionate leave, why a statement was not immediately released to the media when the issue was discovered.

**(AQW 23604/11-15)**

**Mr Ford:** In accordance with Prison Service procedures, Joseph McManus was posted as 'unlawfully at large' on the Department of Justice website after he failed to return to Maghaberry Prison.

## TV Licence: Custodial Sentences

**Mr Campbell** asked the Minister of Justice, pursuant to AQW 22580/11-15, to detail the number of people who served custodial sentences solely as a result of their failure to pay a television licence fee, in 2007 and 2012.

**(AQW 23644/11-15)**

**Mr Ford:** Prisoners in custody for failure to pay a television fee are often initially committed to prison on remand or already serving concurrent sentences for other offences. A manual exercise in order to detail the number of people who served custodial sentences solely as a result of their failure to pay a television licence fee could therefore only be conducted at a disproportionate cost to the public purse.

### Injunctive Relief: Publicity Prohibited

**Mr Allister** asked the Minister of Justice to detail (i) the number of orders that have been made by the High Court of Justice in Northern Ireland prohibiting publicity on the granting of injunctive relief since 30 April 2012; (ii) when each order was made; (iii) the number that are extant; (iv) whether any such orders have been discharged since 30 April 2012; and (v) the total of orders, whenever made, extant on 29 May 2013.

**(AQW 23690/11-15)**

**Mr Ford:**

- (i) Two orders have been made by the High Court of Justice in Northern Ireland prohibiting publicity on the granting of injunctive relief since 30 April 2012.
- (ii) The date when each of these orders was made cannot be provided without risking contravening the terms of the order itself.
- (iii) Of the orders made since 30 April 2012 two are extant.
- (iv) No orders made since 30 April 2012 have been discharged.
- (v) This information is not readily available and could only be compiled at a disproportionate cost.

Further information in respect of the extant orders cannot be provided without risking contravening the terms of the order itself.

### Joseph McManus

**Lord Morrow** asked the Minister of Justice, in relation to Joseph McManus who absconded whilst on compassionate leave, to detail what he was subsequently charged with after committing further offences which led to his recapture.

**(AQW 23706/11-15)**

**Mr Ford:** Joseph McManus appeared at Laganside Courts on 8 April 2013 and was charged with the following offences:

- 1 Driving when unfit through drink/drugs.
- 2 Causing Grievous Bodily Harm by dangerous driving.
- 3 Failing to stop for police.
- 4 Aggravated vehicle taking causing Grievous Bodily Harm.
- 5 Driving while disqualified.
- 6 Using a motor vehicle without insurance.
- 7 Aggravated taking and causing damage to a vehicle.
- 8 Assault on police.
- 9 Failing to provide a specimen.

### Prisoners: Compassionate Leave

**Lord Morrow** asked the Minister of Justice to detail (i) how many prisoners were released on compassionate leave from prisons in each of the last two years; (ii) the reason for release; and (iii) how many were accompanied by prison staff during release.

**(AQW 23707/11-15)**

**Mr Ford:** Prisoners who are released temporarily under Prison Rule 27(2) including those released on compassionate leave are not required to be escorted by Prison Service staff. The numbers of those released under this Rule in each of the last two years and the reasons for release are set out in the table below.

Year	Number released under Prison Rule 27(2)	Funeral	Critically Ill relative	Graveside Visit
2011	37	23	14	NIL
2012	30	21	8	1
2013 (up to 30 April)	13	11	2	NIL

In addition, a number of other prisoners are removed from prison for compassionate reasons under Section 18(2) of the Prison (NI) Act 1953. They are escorted by Prison Service staff and remain in custody. The numbers of those removed under this section of the Act in each of the last two years and the reasons for such removal are set out in the table below.



Year	Number removed under Section 18(2) of the Prison Act	Funeral	Critically Ill relative	Graveside Visit
2011	34	19	14	1
2012	36	24	9	3
2013 (up to 30 April)	10	3	3	4

### Noel Parker

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22900/11-15, whether Noel Parker would still have met the criteria for temporary release.

**(AQW 23750/11-15)**

**Mr Ford:** I can confirm that Noel Parker would have met the criteria for temporary release.

### Drugs: Use in Prisons

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22661/11-15, in relation to drug use in prisons and concerns expressed by agencies that persons who suffer from drug dependency and addiction are being held in inappropriate conditions, whether he would consider running a pilot scheme to establish if there are any benefits from allocating a specific area in Maghaberry Prison for such prisoners.

**(AQW 23751/11-15)**

**Mr Ford:** AQW 22661/11-15 asked if consideration was given to the allocation of an area specifically for those with drug dependencies. While this is not under consideration, the Governor is considering introducing a therapeutic regime to assist individuals with various types of addictions and this may include allocating a separate area within the Maghaberry Prison to house such prisoners.

### Prisoners: Suicide and Attempted Suicide

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22742/11-15, whether he will commission a detailed review to establish if similarities exist amongst prisoner suicides and attempted suicides, specifically to enable warning signs to be highlighted for the prevention of further incidents and to reduce the risk.

**(AQW 23752/11-15)**

**Mr Ford:** The Northern Ireland Prison Service reviews all attempted suicides and suicides on a case by case basis through current processes; including Supporting Prisoner at Risk case reviews, serious self harm case reviews, and Prisoner Ombudsman's reports. Any learning identified will assist the implementation of changes or improvements to help care for and manage prisoners at risk to prevent further incidents and reduce the risk of self harm.

### Dungannon Court House: Prisoner Accommodation

**Lord Morrow** asked the Minister of Justice to detail (i) why several people awaiting custodial appearance at Dungannon Court House on Wednesday 29 May were held in PSNI vehicles outside the court building, and not placed in cells; (ii) whether a risk assessment was carried out; and (iii) whether this is common practice.

**(AQW 23753/11-15)**

**Mr Ford:** Necessary building works at Dungannon Courthouse resulted in three of the nine cells not being available on 29 May 2013. This, in conjunction with a high number of Police and Criminal Evidence (PACE) detainees to be dealt with on the day, resulted in two PACE detainees being held in police vehicles, until cellular accommodation became available.

The decision to hold the detainees in police cars was taken by the PSNI, who were responsible for conducting any necessary risk assessment.

This was an isolated incident and PECCS management continue to work closely with PSNI custody suites to avoid any similar occurrences.

### Injury-on-duty Awards: Correspondence

**Mr Hussey** asked the Minister of Justice to detail the correspondence that he has had with the Northern Ireland Policing Board on the review of Injury on Duty Awards.

**(AQW 23797/11-15)**

**Mr Ford:** Under Regulation 35 (1) the PSNI and PSNI Reserve (Injury Benefit) Regulations 2006 it is the responsibility of the Policing Board to arrange reviews. The Chief Executive of the Policing Board wrote to me on 8 February 2013 advising of his intention to set up an Injury on Duty Working Group. In my response I supported the proposed suspension of the reviews of the degree of disablement pending the report from the working group.

### Injury-on-duty Awards: Review

**Mr Hussey** asked the Minister of Justice to outline the role of his Department in the review of Injury on Duty Awards.  
(AQW 23798/11-15)

**Mr Ford:** My Department does not have any role in the review of Injury on Duty Awards.

Under Regulation 35(1) of the PSNI and PSNI Reserve (Injury Benefit) Regulations 2006 the Policing Board is legally obliged to arrange periodical reviews of the degree of disablement of an Injury on Duty award.

### Injury-on-duty Awards: Review

**Mr Hussey** asked the Minister of Justice whether he would support a discontinuation of the review of Injury on Duty Awards.  
(AQW 23799/11-15)

**Mr Ford:** I refer to my answer to AQW 23797/11-15.

### Injury-on-duty Awards: Review

**Mr Hussey** asked the Minister of Justice to detail what discussions he has had with the Northern Ireland Policing Board and the Chief Constable regarding the trauma which the current review of Injury on Duty Awards has caused some former police officers and their families.

(AQW 23800/11-15)

**Mr Ford:** To date, I have not had any discussions with the Policing Board or Chief Constable regarding the current review of the Injury on Duty awards.

### Legal Services Commission: Budget 2013-14

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22662/11-15, to detail (i) the Legal Services Commission's budget for 2013/14; (ii) the projected expenditure; and (iii) whether an overspend is expected, and if so, the estimated cost.  
(AQW 23843/11-15)

**Mr Ford:** The initial budget available to the Northern Ireland Legal Services Commission (NILSC) at the beginning of the financial year, 2013/14, was £74.8m.

As part of the in year forecasting processes, the NILSC notified the Department of a forecast pressure of £27m in March 2013 for the forthcoming financial year.

Following a meeting of the Departmental Strategic Resources Committee (SRC) in May 2013, an additional allocation of £15m was made available, bringing the total budget available to the NILSC to £89.8m.

The projected shortfall between budget available and current forecast requirement is estimated at £12m. During 2013/14 the Department of Justice will continue to work with the NILSC to monitor the forecast as the year progresses. Any funding pressures will be considered as part of the in-year monitoring round process.

### Prison Officers: Voluntary Early Retirement Scheme

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23108/11-15, to outline the criteria that were applied to granting people the Voluntary Early Retirement Scheme, subsequent to November 2011.  
(AQW 23844/11-15)

**Mr Ford:** The criteria applied to the Voluntary Early Retirement Scheme are:

- (i) age 50 or over at 8 November 2011;
- (ii) in an eligible surplus grade; and
- (iii) staff released in least cost order.

### Prisoners: Cost 2007/2012

**Mr Campbell** asked the Minister of Justice to detail the average cost per prisoner in (i) 2007; and (ii) 2012.  
(AQW 23861/11-15)

**Mr Ford:** The Northern Ireland Prison Service calculates an average cost per prisoner place for each financial year. The table below sets out the cost for the financial years 2007/08 and 2012/13 (subject to audit).

Financial Year	Average cost per prisoner place
2007/08	£81,254
2012/13	£66,494 (subject to audit)

## Prisoners: Temporary Release

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22900/11-15, whether the administrative error stated refers to the Northern Ireland Prison Service interpretation of AQW 21633/11-15 as submitted, or information held on Prison Service records which contained details of the application and granting of temporary release.

**(AQW 23882/11-15)**

**Mr Ford:** An administrative error occurred in one section of Mr Parker's file in which the word niece had been transcribed as daughter. This typographical error did not impact on the outcome of the Risk assessment, Mr Parker's eligibility with regards to accompanied temporary release or the operational decision for Mr Parker to attend his niece's wedding.

## Prison Service: Appeals

**Lord Morrow** asked the Minister of Justice to detail the number of appeals lodged against dismissal from the Northern Ireland Prison Service to the Northern Ireland Civil Service Appeals Board that were (i) withdrawn; and (ii) struck out, in each of the last five years.

**(AQW 23885/11-15)**

**Mr Ford:** This information has been withheld as disclosure would be contrary to the Data Protection Act 1998 and in order to protect the identity of those involved.

## Civil Law Reform/Family Law

**Mr Allister** asked the Minister of Justice to detail (i) what contact his Department has had with the Department of Finance and Personnel about the transfer of civil law reform for family law; (ii) the reasons for the delay of the transfer of civil law reform for family law from the Department of Finance and Personnel to his Department; and (iii) when he expects that civil law reform in family law will be fully transferred to his Department.

**(AQW 23887/11-15)**

**Mr Ford:** I have in the past corresponded with the Minister of Finance and Personnel regarding the desirability of all justice related matters coming within the remit of my Department. However there is at present no Ministerial agreement on the transfer of responsibility for civil law reform or family law to my Department and I am unable to indicate when such a transfer is likely to occur.

## Peace Walls: Removal

**Mr Campbell** asked the Minister of Justice, pursuant to AQW 22856/11-15, whether consideration of the removal of peace walls or barriers would necessitate consultation and require agreement.

**(AQW 23894/11-15)**

**Mr Ford:** In considering the future of interface structures there will be consultation with residents and others.

The issue of the determination of agreement is complex and I would not want to be prescriptive.

## Internet Regulation

**Mrs Overend** asked the Minister of Justice to outline the action that his Department has taken to limit the availability of indecent images of children online.

**(AQW 23917/11-15)**

**Mr Ford:** Article 3 of the Protection of Children (NI) Order 1978 prohibits the possession, distribution and publication of indecent images of children under 18 years, with a maximum penalty of 10 years' imprisonment.

Regulation of the internet is a reserved matter and not one which can be dealt with in a devolved manner by this Department.

## Victims and Witnesses of Crime

**Mr Weir** asked the Minister of Justice what progress his Department has made on implementing the recommendations in the report by the Committee for Justice on its Inquiry into the Criminal Justice Services available to Victims and Witnesses of Crime in Northern Ireland.

**(AQW 23941/11-15)**

**Mr Ford:** Since the publication of the Committee's report in June 2012, I have published a new five-year strategy for victims and witnesses of crime. This strategy, entitled 'Making a difference to victims and witnesses of crime – Improving access to justice, services and support', includes actions that respond to 28 of the 30 recommendations included in the Committee's report.

I have also published an action plan for 2013-15 and this reflects 20 of the recommendations from the Committee's report. Some of the key actions include the development of a Victim Charter, the introduction of Victim and Witness Care Units, promoting the use of Victim Personal Statements and the introduction of a comprehensive formal assessment process to identify victim and witness needs in relation to special measures and other support requirements. Work has already

commenced on a number of these actions, including through the establishment of a pilot Victim and Witness Care Unit and pilot Registered Intermediaries Schemes were launched last month.

My Department will be providing six-monthly updates to the Justice Committee on progress against these actions.

In respect of the Committee's recommendation on statutory case management, I have publicly consulted on the management of criminal cases and will be making provision for this in the forthcoming 'Faster, Fairer Justice' Bill.

The remaining recommendation deals with participation in restorative practice. The Department will continue to explore opportunities to develop services with a restorative focus. Support is also being provided to a number of projects promoting restorative interventions with victims and offenders.

### **RUC Reserve Gratuity Fund**

**Mr Frew** asked the Minister of Justice, pursuant to AQW 22688/11-15, if he consider distributing the remaining funds of £392,000 to the people for whom it was provided in the initial case.

**(AQW 23966/11-15)**

**Mr Ford:** It is not possible either to reopen the Part-Time Reserve Gratuity Scheme to allow late applications or to establish another similar scheme in order to distribute the residue, due to the terms and conditions of the scheme.

I am considering a range of options for allocating the residue and expect to make a decision in the near future.

### **Prisoners: Unlawfully at Large**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23178/11-15, of those who absconded, how many remain unlawfully at large.

**(AQW 23986/11-15)**

**Mr Ford:** Of those prisoners who absconded while on compassionate bail, two remain unlawfully at large.

### **PSNI: Equal Pay**

**Mr Hussey** asked the Minister of Justice when his Department received the business case from the PSNI on the issue of the equal pay settlement, and to outline the action that was taken, including where and when it was subsequently sent.

**(AQW 24077/11-15)**

**Mr Ford:** The PSNI sent my Department a business case in October 2010 for discussions on whether it demonstrated a legal entitlement to the NICS equal pay settlement. Upon receiving the business case, my Department consulted DFP on it to confirm the view on the issue of legal liability.

The advice received from DFP on 22 February 2011 clearly affirmed my Department's understanding that the pay and grading delegation that had been granted to the NIO in 1996 was to include the Northern Ireland Policing Board, formerly PANI, and that this pay delegation had not been rescinded.

As a result of this advice, which was shared with PSNI on 1 March 2011, the business case could not proceed along the approvals process since it was clear that there was no legal basis to make a payment.

Further to the receipt of the DFP legal advice, my Department did not receive any further formal correspondence from the PSNI requesting that the business case be progressed.

### **Drugs: Crime**

**Mr Douglas** asked the Minister of Justice what actions his Department is taking to combat the problem of drug-related crime.

**(AQO 4260/11-15)**

**Mr Ford:** The Department of Justice is actively working within the criminal justice system, and with other stakeholders, to combat the scourge of drugs on our streets and in our communities.

My Department and other criminal justice organisations are major contributors to the outcomes defined in the Department of Health, Social Services and Public Safety New Strategic Direction for Alcohol and Drugs 2011-16.

Through the Community Safety Strategy the Department of Justice, the Prison Service, the Youth Justice Agency and the Probation Board provide a range of financial and other resources to both statutory and community bodies to help those offenders who are using drugs which may be a contributing factor in their offending behaviour.

In addition, Policing and Community Safety Partnerships work with their local community to identify local problems and seek workable solutions.

The Department of Justice also seek to address drug trafficking and supply through the Organised Crime Task Force. A subgroup of the OCTF is dedicated to this issue and includes PSNI, Home Office Border Force, Serious Organised Crime Agency, the Post Office, DHSSPS and Forensic Science.

Combating the issue of drugs and crime requires a joint effort across Government and the community. The Police, in their Policing Plan Update for 2013-14 recognise that street level drug dealing is under-reported and the challenge is to encourage the public to report such matters, either through the PSNI or through the Crimestoppers charity, and so reduce this crime further. I would encourage anyone with information to do this.

### **Legal Services Commission: Staff Salaries**

**Mr Allister** asked the Minister of Justice, pursuant to AQW 22409/11-15 and AQW 23404/11-15, for his assessment of whether the type of document submitted was appropriate and adequate.

**(AQW 24096/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission has sought legal advice on the contractual right of staff to pay progression. This advice has been shared with the Department of Justice and the NILSC is seeking to bring to a conclusion the ongoing pay discussions.

As the legal advice provided is covered by legal professional privilege I am not in a position to comment on the specific points raised in the Question.

### **Door Supervisor Licences**

**Mr Allister** asked the Minister of Justice to detail how many people hold Security Industry Authority Door Supervisor Licences; and of these (i) how many have convictions for violence related offences; and (ii) how many have been convicted of offences for which they received life sentences.

**(AQW 24131/11-15)**

**Mr Ford:** The Security Industry Authority (SIA) has advised that there are currently 223,725 active door supervisor licences in the United Kingdom. Of these, 4,335 have home addresses in Northern Ireland.

Information on the number of licence holders who have convictions, including convictions for violence related offences or convictions for which the individual received a life sentence, is not retained by the SIA in a readily accessible format.

### **Inquest Files**

**Mr Sheehan** asked the Minister of Justice when, and on whose authority, the Court Service became involved in the development of a protocol with the Public Record Office to prevent the release of inquest files to bereaved families.

**(AQO 4269/11-15)**

**Mr Ford:** There is no protocol between the Northern Ireland Courts and Tribunals Service and the Public Record Office of Northern Ireland to prevent the release of inquest files.

Decisions on the release of inquest files are governed by the Freedom of Information Act 2000, the Data Protection Act 1998 and the convention rights incorporated by the Human Rights Act 1998. All NICTS decisions and recommendations on this subject are based on this legislative framework and relevant case law. Part of this process is the need to consult with interested parties when considering what exemptions, if any, may be required in an individual case.

In considering individual access requests, NICTS and PRONI apply a Memorandum of Understanding that sets out how the consultation process is undertaken.

### **PSNI: Equal Pay for Civilian Staff**

**Mr Humphrey** asked the Minister of Justice if his Department can authorise payments to civilian staff working for the PSNI, who are not covered by the equal pay settlement, without being legally compelled to do so.

**(AQO 4271/11-15)**

**Mr Ford:** The point raised was debated in the Assembly on Tuesday 4 June 2013. As I informed the House at the time, I as Minister of Justice do not have the authority to authorise payments solely on the basis of fairness, where no liability or right has been established and where the court has ruled to the contrary.

The judgement of His Honour Judge Babington in the recent Equal Pay case heard in the County Court was clear that PSNI staff did not have a contractual right to equal pay terms.

Any decision to make payments in this case would be contrary to this legal judgement and would, based on DFP advice of 22 February 2011, fall outside the delegated authority granted to my Department by DFP.

There appears to be some confusion with respect to this matter and in an attempt to address this, I have given an assurance to the Assembly that I would write to the Finance Minister. I will ask him to set out the basis on which my Department and in turn, his Department, could approve a business case based on arguments of fairness where the court has ruled that no legal liability exists. I will also ask him to guarantee that if he is in a position to approve such a business case, that he will also make the arrangements to provide the necessary funds to meet the additional costs and any further liabilities that might flow from such an action.

## Legal Aid: Judicial Reviews

**Mr Anderson** asked the Minister of Justice for his assessment of the use of Legal Aid in relation to judicial reviews.  
(AQO 4272/11-15)

**Mr Ford:** Civil Legal Aid is available for judicial review proceedings. Judicial Review proceedings are heard at the High Court.

Legal Aid will be granted for judicial review proceedings where the applicant meets the 2 statutory tests, namely that the applicant qualifies for legal aid under the financial eligibility rules and the Legal Services Commission is satisfied that the case merits legal aid funding. Decisions on the grant of legal aid in an individual case are taken by the Legal Services Commission, independently of government.

The Access to Justice Review recommended that legal aid should continue to be available for Judicial Review proceedings.

## Department for Regional Development

### Councils: Payments to Parking Attendants

**Mr Agnew** asked the Minister for Regional Development to detail the amount (i) that each local council paid to companies to provide parking attendants, over the last twelve months; and (ii) of revenue each local council raised from parking tickets during this period.

(AQW 22708/11-15)

**Mr Kennedy (The Minister for Regional Development):** Local councils do not make payments for NSL parking attendants and local councils do not obtain revenue from parking tickets issued by NSL attendants.

### A5: Spending

**Mr Agnew** asked the Minister for Regional Development how much has been spent on the A5 road scheme to date.  
(AQW 22943/11-15)

**Mr Kennedy:** As of the end of May 2013 the amount spent on the A5 Western Transport Corridor scheme was £58,238,000, of which £35,542,000 was spent prior to my taking up of office in May 2011.

A breakdown of the total amount spent on the A5 shows that, £47,782,000 was used for fees; £4,353,000 for surveys; £1,508,000 for construction costs; £1,792,000 for contractor's design costs; £894,000 for utilities costs; £744,000 for public consultation/legal costs and £1,165,000 for land/ compensation.

The land/compensation figure includes an amount of £796,000 associated with 90 per cent advance compensation payments which have been paid to five landowners. These five landowners have been given the option of returning the money or selling the land to the Department by agreement. Discussion with these landowners is ongoing.

### Roadside Monuments: Illegally Erected

**Mr Easton** asked the Minister for Regional Development to detail the number of illegally erected Republican monuments on roadsides.

(AQW 23156/11-15)

**Mr Kennedy:** My Department is aware of twenty illegally erected Republican monuments on roadsides.

### Salt Boxes: Antrim Borough Council/Newtownabbey Borough Council

**Mr Girvan** asked the Minister for Regional Development to detail the location of salt bins in (i) Antrim Borough Council; and (ii) Newtownabbey Borough Council.

(AQW 23460/11-15)

**Mr Kennedy:** Details of the locations of salt boxes in the Antrim and Newtownabbey Borough Council areas are available in the Assembly Library.

### Roads: Maze Development

**Mr Dunne** asked the Minister for Regional Development what plans his Department has to improve the road infrastructure in and around the Maze Development.

(AQW 23531/11-15)

**Mr Kennedy:** It is the Maze/Long Kesh Development Corporation (MLKDC), under the auspices of OFMDFM, which is responsible for the development of the site and associated roads infrastructure.

This year's Balmoral Show emphasised the need for new roads infrastructure to support the development of the site.

I am aware MLKDC has a development plan setting out proposals for road links to the M1 motorway. However, to date the MLKDC has not made a planning application.

My Department's experience is that the processes and timeframes for the development of new roads can be time-consuming, complex and can take a number of years to complete.

The processes involve the identification of a preferred option, the preparation of a design and an environmental impact assessment, an application for planning permission, the acquisition of land, procurement and then construction.

My officials will work with MLKDC and OFMDFM to assist in expediting the development of their proposals and I have written to Terence Brannigan, the chairman of MLKDC, and the First and deputy First Ministers to formally make this offer.

### Road Safety: Gransha Road, Bangor

**Mr Weir** asked the Minister for Regional Development to detail the timescale for the proposals for road safety measures for the Gransha Road, Bangor.

**(AQW 23535/11-15)**

**Mr Kennedy:** My Department is currently commissioning consultants to carry out a feasibility design to consider possible options to improve pedestrian facilities at the Gransha Road Roundabout, Bangor. Officials expect this study to be completed within the next six months, when they will be in a better position to establish the best way forward.

I have asked Mr Bertie Ellison, Divisional Roads Manager (Acting), Roads Service Eastern Division to advise you of the outcome.

### Roadside Monuments: Illegally Erected

**Mr Easton** asked the Minister for Regional Development to detail the number of illegal road side monuments to terrorists.

**(AQW 23554/11-15)**

**Mr Kennedy:** My Department is aware of nineteen illegal roadside monuments to terrorists.

### Dignity at Work: DRD Cases

**Mr Spratt** asked the Minister for Regional Development how many Dignity at Work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

**(AQW 23574/11-15)**

**Mr Kennedy:** The information for my Department and its Arm's Length Bodies is detailed in the table below.

Year	Organisation	Total Number of Cases	Number of Cases Resolved	Number of Cases Outstanding
2008/09	DRD	9	9	0
	Northern Ireland Water	1	1	0
	Translink	44	44	0
2009/10	DRD	13	13	0
	Northern Ireland Water	1	1	0
	Translink	32	32	0
2010/11	DRD	12	12	0
	Northern Ireland Water	3	3	0
	Translink	53	53	0
2011/12	DRD	5	5	0
	Northern Ireland Water	4	4	0
	Translink	28	28	0
2012/13	DRD	14	3	11
	Northern Ireland Water	8	7	1
	Translink	7	2	5

### **Hollywood Golf Club: Brown Signs**

**Mr Dunne** asked the Minister for Regional Development when brown signs for Hollywood Golf Club will be erected.  
(AQW 23606/11-15)

**Mr Kennedy:** My Department recently wrote to the Tourist Information Centre, Bangor, regarding a proposal to provide direction signs to Hollywood Golf Club. This includes the erection of direction signs at the B198 Belfast/Jacksons Road junction, Jacksons Road/Old Hollywood Road junction and the entrance to the golf club itself. The cost of providing and erecting these signs will be £671.44.

Upon receipt of confirmation that the golf club is content to proceed, my Department will make arrangements to purchase and erect the signs, which should take a further eight weeks to complete.

### **Parking Tickets: Coalisland**

**Lord Morrow** asked the Minister for Regional Development when a parking ticket was last issued in Coalisland.  
(AQW 23622/11-15)

**Mr Kennedy:** No Penalty Charge Notices have been issued in Coalisland since the beginning of Decriminalised Parking Enforcement, in 2006.

The number of Penalty Charge Notices (PCNs) issued in any one town or area depends on many factors, not least of which are the size of the town, the extent of parking restrictions and the volume of traffic. These factors plus the level of illegal parking will influence where Traffic Attendants (TA) are deployed.

For example, in Coalisland there are very few parking restrictions to be enforced which is the primary reason that no PCNs have been issued.

### **Traffic Wardens: Donaghmore and Coalisland**

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 21613/11-15 and AQW 22800/11-15, to detail whether traffic wardens operated in (i) Donaghmore during 2012/13; and (ii) Coalisland in any of the last three years.  
(AQW 23624/11-15)

**Mr Kennedy:** Traffic Attendants have visited Donaghmore on 32 occasions during 2012/13, but have not visited Coalisland over the last three years.

My Department has to prioritise its limited Traffic Attendant resource so it can provide an effective and balanced enforcement service. Although it is not possible to cover every restriction, we do respond where we receive complaints or requests for enforcement.

### **Fixed Penalty Notices: Coalisland and Donaghmore**

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 21613/11-15 and AQW 22800/11-15, to detail (i) the reasons for the disparity in the number, and in some cases, non-existence, of Fixed Penalty Notices for parking violations in Coalisland and Donaghmore, compared to Aughnacloy and particularly Fivemiletown; (ii) whether a threat was made directly or indirectly to traffic wardens not to patrol and/or issue Fixed Penalty Notices; and (iii) what action he intends to take to ensure that this trend is reversed and that enforcement is equitable.  
(AQW 23705/11-15)

**Mr Kennedy:** The number of Penalty Charge Notices (PCNs) issued in any one town or area depends on many factors, not least of which are the size of the town, the extent of parking restrictions and the volume of traffic. For example, in Coalisland there are very few parking restrictions to be enforced which is the primary reason no PCNs have been issued. In addition, the level of illegal parking will also influence where Traffic Attendants (TA) are deployed.

To provide an effective and balanced enforcement service, my Department has to prioritise its limited TA resource. Although it is not possible to cover every restriction, my Department does address problem areas where complaints or requests for enforcement are received.

Neither my Department nor NSL are aware of any evidence of threats made against Traffic Attendants in either Coalisland or Donaghmore.

Deployment levels in all towns are regularly reviewed and updated, if required. My Department will continue to monitor the situation in the towns you have mentioned and take appropriate enforcement action based on compliance with the relevant parking restrictions.

### **A5: Funding Reallocation**

**Mr Allister** asked the Minister for Regional Development what response there has been from other Executive Ministers on proposals to reallocate funding for the A5 road scheme.  
(AQW 23748/11-15)



**Mr Kennedy:** I wrote to the Minister of Finance, Sammy Wilson MP MLA on 9 May 2013 to inform him of the current issues surrounding the delay to the A5 scheme, the subsequent financial implications and options for other road improvements.

In view of the strategic importance of this issue I copied the correspondence to Executive colleagues. I look forward to the Minister of Finance bringing a paper to the Executive on the underlying budgeting issues for collective discussion.

Minister Poots has responded to me directly on the issue.

### **Door-2-Door Transport Scheme: Fares**

**Ms P Bradley** asked the Minister for Regional Development whether he will provide a commitment that the fee for Door-2-Door Transport Scheme journeys which exceed 3 miles, will not increase.

**(AQW 23754/11-15)**

**Mr Kennedy:** The issue of setting fares for the Disability Action Transport scheme is primarily an operational matter for Disability Action; however, any potential increases would be discussed with the Department in advance. Disability Action has informed me that it intends to establish a User Forum in September this year. Any issues arising will be discussed with this Department.

### **North West 200: Flexible Road Closures**

**Mr McNarry** asked the Minister for Regional Development what support he will provide, in the form of flexible road closures, to better facilitate the North West 200.

**(AQW 23773/11-15)**

**Mr Kennedy:** Under the 1986 Road Races (Northern Ireland) Order, my Department may only grant ten road closing orders (excluding hill climbs) in a calendar year. However, the legislation limits the number of days any particular road may be used for, or in connection with motor races, to a maximum of three days in any calendar year. The exception being races held over the Dundrod Circuit, due to special arrangements contained in the 1986 Order, and its predecessors. The aim of the legislation is to strike a balance between the considerable interest in the sport in Northern Ireland and the needs of the general public, in terms of normal use of the road network.

The Order requires applications for road closing orders to be received and approved by my Department, by 31 March each year.

There is no specific provision in the legislation regarding the day, or days of the week, on which a road may be closed. It is up to promoters to decide on which days to run their race and practices. There is no provision to enable the date, or dates, of a race to be changed after the 31 March deadline due to, for example, bad weather or an outbreak of contagious disease such as 'Foot and Mouth' etc.

After the 'washout' of the 2011 Northwest 200 race, and following advice from my Department, the race promoters increased the time the roads were closed on the three days, to allow more flexibility in the event of adverse weather. There are now a number of races held on the Thursday night to ease pressures on the main race day, Saturday.

In principle, I am supportive of the proposals to achieve greater flexibility. However, my officials have obtained legal guidance, advising flexibility cannot be achieved without a change to the 1986 Order. Therefore, I have decided to seek the Executive's approval to commence proceedings to progress a short single purpose bill, by way of accelerated passage, in order to achieve the flexibility sought. While very challenging, I will be endeavouring to have the changes in place for the 2014 racing season.

### **North West 200: Flexible Road Closures**

**Mr Campbell** asked the Minister for Regional Development what progress has been made in offering greater flexibility to the organisers of events, such as the North West 200, regarding the number of days that road closures can apply.

**(AQW 23785/11-15)**

**Mr Kennedy:** Under the 1986 Road Races (Northern Ireland) Order, my Department may only grant ten road closing orders (excluding hill climbs) in a calendar year. However, the legislation limits the number of days any particular road may be used for, or in connection with motor races, to a maximum of three days in any calendar year. The exception being races held over the Dundrod Circuit, due to special arrangements contained in the 1986 Order, and its predecessors. The aim of the legislation is to strike a balance between the considerable interest in the sport in Northern Ireland and the needs of the general public, in terms of normal use of the road network.

The Order requires applications for road closing orders to be received and approved by my Department, by 31 March each year.

There is no specific provision in the legislation regarding the day, or days of the week, on which a road may be closed. It is up to promoters to decide on which days to run their race and practices. There is no provision to enable the date, or dates, of a race to be changed after the 31 March deadline due to, for example, bad weather or an outbreak of contagious disease such as 'Foot and Mouth' etc.

After the 'washout' of the 2011 Northwest 200 race, and following advice from my Department, the race promoters increased the time the roads were closed on the three days, to allow more flexibility in the event of adverse weather. There are now a number of races held on the Thursday night to ease pressures on the main race day, Saturday.

In principle, I am supportive of the proposals to achieve greater flexibility. However, my officials have obtained legal guidance, advising flexibility cannot be achieved without a change to the 1986 Order. Therefore, I have decided to seek the Executive's approval to commence proceedings to progress a short single purpose bill, by way of accelerated passage, in order to achieve the flexibility sought. While very challenging, I will be endeavouring to have the changes in place for the 2014 racing season.

### Park-and-ride Facilities: North Down

**Mr Weir** asked the Minister for Regional Development what plans there are to increase Park and Ride facilities in North Down. (AQW 23787/11-15)

**Mr Kennedy:** In August 2011, I endorsed my Department's 'Strategic Review of Park & Ride' report and approved the proposed way forward. The report presented recommendations for the delivery and prioritisation of Park & Ride facilities.

My Department has established a Park & Ride Programme Board with responsibility for co-ordinating and prioritising the implementation of Park & Ride projects in line with the Departmental Strategy. The Programme Board has produced a 'Park & Ride Strategic Delivery Programme 2013-15', which is a schedule of Park & Ride projects with clearly defined responsibilities for funding, implementation, maintenance and operation, to be taken forward by my Department's Transport Projects Division, Transport NI and Translink.

I am aware that there is significant demand for Park & Ride facilities in North Down, with many existing sites operating close to capacity. This demand highlights the success brought about by my Department's investment in the railway network in recent years and it is something that I would like to continue to build upon.

As a result, the Park & Ride Strategic Delivery Programme 2013-15 will include proposals for increased Park & Ride facilities in North Down as follows:

- Bangor - My Department is currently developing a business case which will consider a number of options for the provision of additional Park & Ride facilities in Bangor, to supplement those currently available at Abbey Street. Subject to the identification of a suitable site and the satisfactory completion of the necessary processes, which may include land purchase and attaining planning permission, the new facilities could be provided in late 2014/2015.
- Cultra - Translink are entering into a lease agreement with the Ulster Folk and Transport Museum to operate Park & Ride from a section of the museum's car park on a trial basis. This will utilise the Cultra Train Halt and become operational by September 2013.

### Rail Services: Bangor, Portadown, Larne, Derry and Portrush

**Mr D Bradley** asked the Minister for Regional Development to detail the total number of journeys on the (i) Bangor; (ii) Portadown; (iii) Larne; (iv) Derry; and (v) Portrush rail services, each year from 2001/2002 to 2011/2012. (AQW 23827/11-15)

**Mr Kennedy:** The table below shows the total number of journeys on the (i) Bangor; (ii) Portadown; (iii) Larne; (iv) Londonderry; and (v) Portrush rail services, each year from 2001/2002 to 2011/2012, with a more detailed split per line for the period 2004/2005 to 2011/2012.

It has only been possible to provide total journey statistics for the years 2001/02, 2002/03 and 2003/04 as a different ticketing system was in operation then which precludes extraction to the level of detail requested.

Line Yr	Bangor	Portadown	Larne	Londonderry	Portrush	Total local
2001/02	-	-	-	-	-	5,247,316
2002/03	-	-	-	-	-	5,188,377
2003/04	-	-	-	-	-	5,665,706
2004/05	1,517,315	1,940,826	1,827,617	850,056	465,682	6,601,496
2005/06	1,860,752	2,171,165	1,477,979	874,954	508,486	6,893,336
2006/07	1,956,803	2,505,060	1,720,189	1,020,684	518,162	7,720,898
2007/08	2,064,231	3,008,833	1,905,071	1,174,870	466,562	8,619,567
2008/09	2,236,576	3,200,632	2,076,398	1,401,745	488,831	9,404,182
2009/10	2,323,403	3,051,491	2,084,904	1,311,128	483,426	9,254,352
2010/11	2,410,165	3,077,546	2,111,129	1,476,929	528,530	9,604,299
2011/12	2,523,443	3,217,248	2,153,142	1,561,364	543,593	9,998,790

## Enterprise Train Service: Customers

**Mr D Bradley** asked the Minister for Regional Development to detail the average number of customers per Enterprise train journey, each year from 2001/2002 to 2011/2012.

**(AQW 23828/11-15)**

**Mr Kennedy:** I can advise that Translink introduced a new ticketing system during 2003/04. For the years prior to that, Translink cannot readily reconcile information with that produced by the current ticketing system. Accordingly, the statistics provided are from financial year 2004/05 to date.

These are as follows:

Year	Average Loadings per Journey
2004/05	171
2005/06	168
2006/07	167
2007/08	183
2008/09	173
2009/10	147
2010/11	156
2011/12	154
2012/13	172

## Enterprise Train Service: Scheduled Journey Time

**Mr D Bradley** asked the Minister for Regional Development to detail the scheduled journey time for the Enterprise train service, each year from 2001/2002 and 2011/2012.

**(AQW 23829/11-15)**

**Mr Kennedy:** I can advise you that Translink have confirmed that scheduled journey times vary depending on the stopping pattern of the train and the effect of other train schedules.

For example, up until 2008 the fastest Enterprise train incorporated only one intermediate stop at Portadown and did not serve Newry, Dundalk or Drogheda. From December 2008 additional stops were included at Newry and Dundalk. Subsequently a number of Enterprise trains also stop at Lisburn in addition to Portadown, Newry, Dundalk and Drogheda. Train running times will be impacted by the stopping patterns and by influence of the local trains sharing the same running lines.

The minimum/maximum journey times for Enterprise services are as outlined in the table below:

### Min - Max Journey Times Belfast Central / Dublin

Enterprise	Min	Max
2001	01:51:00	02:10:00
2002	01:51:00	02:10:00
2003	01:51:00	02:15:00
2004	01:51:00	02:15:00
2005	01:51:00	02:13:00
2006	01:55:00	02:15:00
2007	01:53:00	02:15:00
2008	01:53:00	02:15:00
2009	02:00:00	02:16:00
2010	02:00:00	02:15:00
2011	02:00:00	02:15:00
2012	02:00:00	02:15:00

## Rail Services: Bangor, Portadown, Larne, Derry and Portrush

**Mr D Bradley** asked the Minister for Regional Development to detail the scheduled journey time for (i) Bangor; (ii) Portadown; (iii) Larne; (iv) Derry; and (v) Portrush rail services, each year from 2001/2002 and 2011/2012.

**(AQW 23830/11-15)**

**Mr Kennedy:** Scheduled journey times vary depending on the stopping pattern of the train and the effect of other train schedules.

In relation to local trains, running times are principally impacted by stopping patterns. The minimum running times will reflect 'express' services, maximum running times will reflect 'all stops' services. Running times on all lines will be affected by Temporary Speed Restrictions over extended periods and Permanent Speed Restrictions applicable at various times over the years in question due to, for example:

- Significant Infrastructure improvement or repair works (track conditions)
- Damage – flooding/subsidence etc.
- Vandalism/civil disorder
- Other extraneous factors such as Third Party works / interfaces

On the Derry line, in particular, scheduled running times are influenced by the number of trains which have to meet and cross on what is a single track infrastructure with passing loop. Between 2001 and 2004 a maximum of 18 trains operated per day. Now NIR operates 38 trains per day on the same infrastructure.

Details of minimum/maximum journey times year on year are as outlined in the table below.

### Min - Max Journey Times to Belfast Great Victoria Street / Belfast Central

	Bangor-Central		Portadown-GVS		Larne Hbr-Central		L'derry-Central		Portrush-Coleraine	
	Min hr:min	Max hr:min	Min hr:min	Max hr:min	Min hr:min	Max hr:min	Min hr:min	Max hr:min	Min hr:min	Max hr:min
2001	00:20	00:31	00:39	00:49	00:52	00:58	01:59	02:00	00:12	00:12
2002	00:18	00:29	00:39	00:50	00:52	00:58	02:01	02:03	00:12	00:12
2003	00:18	00:31	00:39	00:50	00:54	00:58	02:01	02:04	00:12	00:12
2004	00:18	00:31	00:30	00:50	00:54	00:58	02:01	02:04	00:12	00:12
2005	00:18	00:27	00:34	00:42	0:00	0:00	02:04	02:07	00:12	00:12
2006	00:19	00:28	00:34	00:48	00:52	01:01	02:05	02:09	00:12	00:12
2007	00:19	00:30	00:34	00:48	00:50	01:01	02:04	02:7	00:12	00:12
2008	00:19	00:30	00:34	00:48	00:48:30	01:00	02:08	02:15	00:12	00:12
2009	00:16	00:30	00:36	00:48	00:49	01:00	02:08	02:13	00:10	00:12
2010	00:19	00:30	00:36	00:48	00:49	00:59	02:03	02:05	00:10	00:13
2011	00:19	00:30	00:36	00:48	00:49	00:59	02:03	02:05	00:10	00:13
2012	00:19	00:30	00:36	00:48	00:49	00:59	02:03	02:05	00:10	00:13

**Note:** For most of 2005 rail services were suspended on the Larne line due to track re-lay and bus substitution measures were put in place.

## Park-and-ride Facilities: Dungiven

**Mr G Robinson** asked the Minister for Regional Development whether he would consider carrying out a feasibility study to establish the need for a Park and Ride facility for Translink passengers at Dungiven.

**(AQW 23836/11-15)**

**Mr Kennedy:** My Department previously investigated the purchase of a part site, owned by the old controlled secondary school, to facilitate a dedicated Park and Ride site. However, it did not proceed with the purchase as consultations with local residents indicated strong opposition to the proposals.

An alternative Park and Ride site has been identified at Magherabuoy Terrace, as part of the ongoing development of the A6 dualling scheme between Londonderry and east of Dungiven. It is expected this site would be delivered in conjunction with construction of the first phase of the dualling scheme.

## Flags: Health and Safety

**Mr Dickson** asked the Minister for Regional Development what health and safety assessments have been undertaken of the dangers posed by flags and other materials attached to lamp posts and other street furniture.

**(AQW 23850/11-15)**

**Mr Kennedy:** My Department's assessment is that flags or other materials attached to lamp posts or other street furniture do not, generally, cause structural concerns. However, where such attachments interfere with the light output of the street lights or the visibility of traffic signs there would be safety implications for the travelling public. In these situations, attachments would be removed on safety grounds.

In addition, large banners attached to street lighting columns, which have not been designed for this purpose, would also cause safety concerns, due to the effect of wind loading on the structural stability of the column. In such circumstances, officials would seek to have such banners removed on safety grounds.

## Lamp Posts

**Mr Dickson** asked the Minister for Regional Development if his Department considers lamp posts as places of work for Roads Service employees.

**(AQW 23851/11-15)**

**Mr Kennedy:** My officials are required to work in a range of environments, including offices, depots, stores, workshops, construction sites, and on the public highway. Lamp posts however are not considered to be places of work. Work on lamp posts is generally regarded and treated as site works on the public highway, and is carried out under a range of health and safety regulations and procedures relevant to the specific operation. These include compliance with the necessary signing and guarding of the works to ensure safety of workers and road users.

## Level-crossings: Jordanstown and Trooperslane

**Mr Dickson** asked the Minister for Regional Development if his Department will bid for funding under the June Monitoring Round for improvements to level-crossings at Jordanstown and Trooperslane.

**(AQW 23852/11-15)**

**Mr Kennedy:** My Department is providing funding to Translink to enable it to take forward a project to improve signalling arrangements at Jordanstown and Trooperslane level crossings.

The works will help reduce the duration of level crossing barriers/road closures when trains are in this line section.

The project is expected to be fully complete by late summer this year.

## Pay and Display: Maintenance Costs

**Mr Campbell** asked the Minister for Regional Development to detail the cost of maintenance and repairs for all Pay and Display car parks, in each of the last three years.

**(AQW 23858/11-15)**

**Mr Kennedy:** I assume the Member's question relates to the maintenance of Pay and Display equipment.

My Department currently has 609 Pay and Display machines, of which, 275 are on-street and 334 off-street. During the last three years, the number of Pay and Display machines has fluctuated due to car parks changing from kiosk operated or free car parks to Pay and Display.

Maintenance of on-street and off-street Pay and Display machines is carried out under the same contract, therefore, figures for on-street and off-street are not compiled separately.

Details of the costs for maintenance and repair of all Pay and Display equipment, in each of the last three financial years, are provided in the table below:

Year	Maintenance and Repair of all Pay and Display Machines
2010/11	£325,832
2011/12	£399,160
2012/13	£364,615

## Translink: Racism/Sectarianism

**Mr Dallat** asked the Minister for Regional Development to detail what plans he has to raise awareness of, and apply a zero tolerance approach to, the issue of racism and sectarianism on Translink buses.

**(AQW 23890/11-15)**

**Mr Kennedy:** Translink bus drivers are trained to deal with difficult situations generally, including the conduct of passengers.

As an organisation, Translink has a zero tolerance towards any display of racism and sectarianism and staff use their discretion to deal with such situations as and when they arise. I fully endorse this approach.

### Door-2-Door Transport Scheme

**Mr Weir** asked the Minister for Regional Development to outline the progress that has been made in securing a long-term provider for the Door-2-Door Transport Scheme.

**(AQW 23892/11-15)**

**Mr Kennedy:** At the end of last year my Department commenced a project to secure long-term arrangements for the provision of a Door-2-Door-type transport scheme. A multi-disciplined team from across my Department and Central Procurement Directorate [DFP] was established to identify and deliver a scheme that would meet the transportation needs of the elderly and disabled people living in urban areas.

As part of the project, a workshop was held earlier this year to specify the scope and timescale for the project. This highlighted the complex interaction between a number of the Department's Accessible Transport Services including provision in rural and urban areas. As these services have been developed and implemented at different times, the project team identified the need for a review of the relevant policy objectives. This work is on-going as part of the project and when completed will enable the Department to identify an accessible transportation service that meets the transportation needs of the elderly and disabled people.

### Water Mains: Ballygorian Road, Hilltown

**Mrs McKeivitt** asked the Minister for Regional Development, pursuant to AQW 22682/11-15, if the water mains extension due to commence in November 2013 will reach each property on the Ballygorian Road, Hilltown.

**(AQW 23965/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the purpose of replacing the water main on Ballygorian Road, Hilltown is to increase water pressure to properties in the area to at least the minimum standard of 1.5 bar pressure at the property supply point of connection to the main. The new main will be available to all properties on the road, and existing connections will be transferred to the new main on a like for like basis. Any new connections will need to be applied for and approved by NIW's Customer Connection team in the normal way. Guidance notes and an application form are available on the NIW website at [www.niwater.com](http://www.niwater.com).

Where properties are at an elevated ground level relative to their connection to the public water main, it may be necessary for individual homeowners to boost the water pressure to their property by fitting and maintaining a domestic booster pump on their private supply pipe.

## Department for Social Development

### Private Sector Landlords: Prosecution

**Mr Copeland** asked the Minister for Social Development to detail the number of private sector landlords that have been prosecuted for failing to carry out work specified in notices of unfitness or disrepair, in each of the last three years; and the average level of fine imposed during this period.

**(AQW 22469/11-15)**

**Mr McCausland (The Minister for Social Development):** The number of private sector landlords that have been prosecuted for failing to carry out work specified in notices of unfitness or disrepair, in each of the last three years; and the average level of fine imposed during this period is detailed below:

Year	No of landlords where prosecution proceedings commenced.	Result of Prosecution
2010/11	2	1 case adjourned and £500 fine for the other.
2011/12	5	2 cases withdrawn (work carried out) 1 fined £500, 1 fined £750 1 convicted no fine imposed.
2012/13	2	1 withdrawn (work carried out) 1 fined £500

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Private-rented Sector: Fitness Inspections

**Mr Copeland** asked the Minister for Social Development how many fitness inspections in the private rented sector were carried out, by each District and Borough Council, in each of the last three years.

**(AQW 22471/11-15)**

**Mr McCausland:** The number of fitness inspections carried out in the private rented sector by each District and Borough Council, in each of the last three years, is detailed below.

District Council	No of inspections carried out		
	2010/11	2011/12	2012/13
Antrim	22	22	21
Ards	75	114	78
Armagh	21	16	12
Ballymena	47	78	69
Ballymoney	12	14	10
Banbridge	34	36	41
Belfast	469	435	405
Carrickfergus	19	29	29
Castlereagh	8	5	12
Coleraine	20	33	33
Cookstown	15	10	15
Craigavon	65	74	67
Down	18	30	37
Dungannon	31	15	25
Fermanagh	30	36	16
Larne	49	60	48
Limavady	7	7	3
Lisburn	56	53	12
Londonderry	26	21	26
Magherafelt	8	27	31
Moyle	13	11	4
Newry & Mourne	35	28	31
Newtownabbey	24	35	24
North Down	79	83	108
Omagh	21	16	23
Strabane	33	23	24
<b>Total</b>	<b>1237</b>	<b>1311</b>	<b>1204</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Private-rented Sector: Fitness Standard

**Mr Copeland** asked the Minister for Social Development what action has been taken to progress Action 5 of the Department's private rented sector strategy on standard of fitness.

**(AQW 22472/11-15)**

**Mr McCausland:** Following the issue of the Private Rented Sector Strategy in 2010, a stakeholder group was established to take forward proposals to enhance the fitness standard applicable to the private rented sector. However, the statutory fitness standard currently applies across all housing tenures, and not just the private rented sector.

My Department's new Housing Strategy Action Plan, due to be published shortly, will set out timescales for taking this work forward. I anticipate we will consult on a proposed standard during 2014 and seek to commence the legislative process for changes to the fitness standard within this Assembly mandate.

### **Information Service: DSD Staff**

**Mr Allister** asked the Minister for Social Development how many staff are employed in his Department's Information Service; and what is the annual cost of this service.

**(AQW 23040/11-15)**

**Mr McCausland:** The Department for Social Development employs six Executive Information Service staff to deliver communications services to the Department, the Social Security Agency and the Northern Ireland Child Maintenance Service.

Salary cost for 2013/14, based on averages, is £257,000.

### **Diversity Training: DSD Staff**

**Mr Kinahan** asked the Minister for Social Development what training and monitoring systems are in place to ensure that staff respect and understand people from an ethnic minority background.

**(AQW 23369/11-15)**

**Mr McCausland:** All staff undertake a 'Diversity Now' training course and then receive refresher training every three years. Additionally, every six months, all staff in the Department are reminded of their responsibilities through circulation of the Equal Opportunities documentation. Complaints relating to this work area are regularly monitored to highlight specific trends and identify training needs.

From a customer perspective, customer facing business areas of the Department have customer complaints procedures in place, and regular monitoring of all complaints is undertaken to identify trends and areas of concerns.

### **Ethnic Minorities: DSD Action**

**Mr Kinahan** asked the Minister for Social Development what action his Department is taking to protect ethnic minority communities.

**(AQW 23506/11-15)**

**Mr McCausland:** Section 75 of the Northern Ireland Act 1998 requires my Department to have due regard to (inter alia) the need to promote equality of opportunity between people of different racial groups. The Department's Equality Scheme sets out how we will fulfil those duties.

New policies and decisions are screened before implementation, to ensure that any impact on Section 75 groups (including people of different racial groups). Any adverse impacts identified are mitigated, or an alternative policy adopted

### **Diversity Training: DSD Agencies**

**Mr Kinahan** asked the Minister for Social Development what action his Department is taking to train Jobs and Benefits, Housing Executive and other front line staff to respect and understand people from ethnic minority backgrounds.

**(AQW 23512/11-15)**

**Mr McCausland:** My Department provides extensive training for all staff to respect and understand claimants from ethnic minority backgrounds.

The Department for Social Development runs a mandatory Diversity Now training programme for all new staff, and refresher on-line training is provided to all staff every 3 years. The training is supplemented by Equal Opportunity Policy Guidance which is accessible through the staff Intranet. The guidance is circulated regularly and it is compulsory that all staff read, discuss and sign that they understand the content on a six monthly basis. Branch Managers complete a Certificate of Assurance each month confirming staff compliance to Equal Opportunity policies.

The Housing Executive runs extensive cultural awareness, Race Relations Act and Section 75 training programmes for all staff. The Race Relations Act section of the Equality Awareness training was developed in conjunction with the Multi Cultural Resource Centre. To date over 2,500 staff have attended Equality Awareness training. Training is available on using and accessing communication support services for people who do not have English as a first language. The Building Relationships in Communities training programme also provides staff with training in good relations with all customers. Additionally to structured training events, the Housing Executive staff have access to a Cultural Awareness Handbook and receive bulletins from their Equality Unit in relation to communicating with customers whose first language is not English and a yearly Black and Minority Ethnic and Migrant Worker Mapping Update. The Housing Executive has also established a Consultative Forum on Equality and Black and Minority Ethnic Forum, which provide feedback from representatives of Black and Minority Ethnic communities on how the Housing Executive works with Black and Minority Ethnic customers.



## Dignity at Work: DSD Cases

**Mr Spratt** asked the Minister for Social Development how many Dignity at Work cases have been lodged in his Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

(AQW 23590/11-15)

**Mr McCausland:** The information relating to the number of Dignity at Work (DAW) cases lodged in each of the last five financial years in both the core Department and the non-Departmental public bodies is included at Table 1. The cases are categorised as 'closed' when they have been considered fully under the DAW policy. The 'closed' category includes cases that have been investigated and upheld, partially upheld, not upheld or withdrawn. It will also include cases that were considered and not taken forward to investigation.

**Table 1**

	Core Department	Non-departmental Public Bodies						
		NIHE		Charities Commission NI		ILEX		No. of DAW Cases Closed
	No. of DAW Cases Lodged	No. of DAW Cases Closed	No. of DAW Cases Lodged	No. of DAW Cases Closed	No. of DAW Cases Lodged	No. of DAW Cases Closed	No. of DAW Cases Lodged	
2008/2009	20	20	7	7	Nil	Nil	Nil	Nil
2009/2010	27	26	5	5	Nil	Nil	Nil	Nil
2010/2011	20	20	6	6	Nil	Nil	Nil	Nil
2011/2012	25	23	0	0	Nil	Nil	Nil	Nil
2012/2013	24	18	4	4	Nil	Nil	Nil	Nil

## Sandy Row/Shafesbury Square Development Proposals

**Mr Spratt** asked the Minister for Social Development for an update on the Sandy Row/Shafesbury Square Development proposals.

(AQW 23710/11-15)

**Mr McCausland:** The Department for Social Development has been working with the South Belfast Partnership Board to commission a Physical Development Framework for Shafesbury Square and the surrounding areas of south Belfast. The aim of the project is to set out a shared vision of the area's development potential that can be used by statutory bodies involved in regeneration and private developers, over the next decade, to inform their development priorities. Following a procurement competition, GM Design Associates has been appointed to take this work forward. It is anticipated that the results of their findings will be available in December 2013.

## Welfare Reform: Social Security Agency

**Mr Agnew** asked the Minister for Social Development what additional resources have been made available to the Social Security Agency to address any business demands resulting from Welfare Reform; and for what purposes have any such funds been identified.

(AQW 23746/11-15)

**Mr McCausland:** In the Spending Review 2010 settlement the Social Security Agency received the following additional funding for Welfare Reform, as a result of bids submitted in the Spending Review Process.

£'K	2011/12	2012/13	2013/14	2014/15	Total
Resource Bids Met		6,000	16,000	36,300	<b>58,300</b>
Capital Bids Met	1,000	1,000	1,000	1,000	<b>4,000</b>

This funding is being used to implement the reforms contained in the Welfare Reform programme. The detailed activities and related requirements and funding needs are being assessed through the Welfare Reform projects which are being taken forward by the Social Security Agency. These projects cover the implementation of Universal Credit, Personal Independence Payment, Social Fund reforms, Fraud and Error Strategy, Employment and Support Allowance Legislative changes and Appeals reforms. Funding has also been made available to the Department for Employment and Learning and the Department of Health Social Services and Public Safety for the purposes of implementing measures associated with Welfare Reform.

## **Incapacity Benefit: Claimant Assessments**

**Mr Campbell** asked the Minister for Social Development when those people who are in receipt of Incapacity Benefit will have completed their reassessment process.

**(AQW 23779/11-15)**

**Mr McCausland:** Work commenced on 28 February 2011 to reassess the claims of approximately 83,000 existing Incapacity Benefit, Severe Disablement Allowance and Income Support (paid on the grounds of incapacity) claimants to determine if they are entitled to Employment and Support Allowance. At the end of May 2013 over 58,000 claimants had commenced the reassessment journey.

The last cases are expected to commence reassessment in March 2014 and it is estimated these will be completed by the end of June 2014.

## **Get Britain Building**

**Mr Campbell** asked the Minister for Social Development which Housing Associations will be offered the £7.2 million for affordable homes under Get Britain Building, in the current year.

**(AQW 23780/11-15)**

**Mr McCausland:** Three Housing Associations have submitted successful bids against the £19 million funding available under the Get Britain Building banner. My officials are currently negotiating the necessary loan agreements with the successful Associations and once these agreements have been signed, I will be announcing the details of the programme and the relevant Housing Associations involved.

I hope to make this announcement before the Summer Recess.

## **Dignity at Work: Sports Paraphernalia**

**Mr Allister** asked the Minister for Social Development, pursuant to to AQW 22253/11-15, what is the policy under Dignity at Work relating to sports paraphernalia.

**(AQW 23810/11-15)**

**Mr McCausland:** The Department operates under the NICS Dignity at Work policy. Within the policy, guidance is included as to the common forms of unwanted unreasonable and offensive conduct. Whilst not specifically mentioning sporting paraphernalia, the guidance refers to flags, bunting, emblems and sportswear which may be deemed offensive by others.

## **Together: Building a United Community: Housing Issues**

**Mr Allister** asked the Minister for Social Development (i) whether he was consulted on the housing issues relevant to his Department prior to the announcement by the First Minister and deputy First Minister on the Together: Building a United Community Strategy; (ii) how any consultation took place; and (iii) when he was consulted.

**(AQW 23814/11-15)**

**Mr McCausland:** I have ongoing and regular discussions with the First Minister and deputy First Minister on all matters pertaining to housing. I and my officials are currently considering how to take forward proposals for an additional 10 new shared housing developments in light of the recent announcements by the First Minister and deputy First Minister on Together: Building a United Community.

## **Coleraine: Retail and Car Parking Developments**

**Mr Campbell** asked the Minister for Social Development what is the expected timescale for the retail and car parking developments under consideration for Coleraine Town Centre.

**(AQW 23859/11-15)**

**Mr McCausland:** My Department continues to work with the developers of both the Lanes scheme and the Ramparts schemes to ensure that these can commence as soon as they are economically viable. The Department is currently receiving advice on the economic viability of The Lanes scheme and a decision regarding the potential relocation of educational and training services in the town centre, which may be facilitated as part of the Ramparts scheme.

## **Jobseeker's Allowance: IT System Fault**

**Mr Durkan** asked the Minister for Social Development what fault existed within the Job Seekers Allowance (JSA) IT payment system in the Foyle area; and how many claimants this fault has prevented from receiving the JSA payments on the correct payment date.

**(AQW 23865/11-15)**

**Mr McCausland:** To ensure that all claimants receive their Jobseekers Allowance payments by the due date, arrangements are made to advance payments around bank holidays. A problem was identified for Jobseekers Allowance claimants for the 27th May Bank Holiday whereby due to a system fault, payments were not automatically credited to some claimants account

on the due date. In Foyle Jobs and Benefits Office three claimants reported on the 28th May that they had not received their payment. The due payments were credited to their bank account within four hours of the claimant notifying the office. The issue has been escalated and is being investigated.

### Housing Executive: North Down Demolitions

**Mr Weir** asked the Minister for Social Development to outline the timescales for any proposed demolition of Housing Executive properties in North Down.

**(AQW 23935/11-15)**

**Mr McCausland:** The only proposed demolition of Housing Executive properties in North Down is for the Kilclief Flats in the Kilcooley Estate, Bangor. The Northern Ireland Housing Executive is in the process of tendering for a specialist demolitions contractor to allow them to progress this demolition.

This process involves the preparation of the contract documents, the tender process itself and the subsequent analysis and awarding of the tender.

This is being treated as a priority and it is anticipated that work will commence on site in September 2013.

### Heating Oil: Affordability

**Mr Dallat** asked the Minister for Social Development, in light of increasing fuel poverty, what steps he will take to address retailers charging up to £1 per litre for heating oil dispensed in drums, when the same oil is available for delivery in homes at 55.5p per litre for larger quantities.

**(AQW 23951/11-15)**

**Mr McCausland:** The most recent Northern Ireland House Condition Survey notes a slight decrease in fuel poverty from 44% in 2009 to 42% in 2011. My Department's Fuel Poverty Strategy recognises that the price and affordability of home heating oil is a contributory factor to fuel poverty and that some low income households can find it difficult to budget for large deliveries of oil. The strategy takes forward a range of measures to alleviate fuel poverty and targets those most affected by fuel poverty.

The regulation of the price of utilities is a matter for the Department of Enterprise Trade and Investment working with the Northern Ireland Authority for Utility Regulation. The Department of Enterprise Trade and Investment has advised that the Office of Fair Trading report published in October 2011 considered that the Northern Ireland oil distribution sector is transparent and competitive on price, with retail prices cheaper than most regions in Great Britain and the Republic of Ireland. Regulation of the Northern Ireland heating oil industry would result in additional costs to consumers and is unlikely to result in the unit price of oil in 20 litre containers being reduced by a significant amount. Oil retail prices respond to fluctuating international wholesale prices which are outside the control of government.

The Northern Ireland Oil Federation in conjunction with the Consumer Council for Northern Ireland agreed a Customer Charter for oil consumers, which was published in October 2012. This includes codes of practice, standards of customer care, complaints procedures, and general customer advice on servicing and safety. The Charter builds on the Voluntary Agreement between the Northern Ireland Oil Federation and the Department.

### Primary Schools: Rural Closures

**Mr McNarry** asked the Minister for Social Development whether he plans to raise any concerns with the Minister of Education on the proposals to close some rural primary schools, following the public consultation on draft area plans for primary provision which ended on 1 June 2013.

**(AQW 23955/11-15)**

**Mr McCausland:** The draft area plans for primary provision are a matter for the Minister of Education, however should any members of the community who are served by my Departments Neighbourhood Renewal programme raise concerns; then I will of course raise them with the Education Minister.

### Apartments: North Down

**Mr Weir** asked the Minister for Social Development how many unfinished (i) one; and (ii) two bedroom apartments there are in North Down.

**(AQW 24001/11-15)**

**Mr McCausland:** The Housing Executive has advised that, in relation to social housing, the table below shows the number of two bedroom apartments that are currently on site and yet to complete in the North Down Parliamentary Constituency. Currently, there are no schemes on site in this constituency which include one bedroom apartments.

On site year	No. of Two Bedroom Apartments
2009/10	6
2012/13	47
<b>Total</b>	<b>53</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Housing Executive: Occupancy Rates in Newtownabbey, Carrickfergus and Larne

**Mr Ross** asked the Minister for Social Development to detail the occupancy rates for Housing Executive units in (i) Newtownabbey2; (ii) Carrickfergus; and (iii) Larne.

**(AQW 24012/11-15)**

**Mr McCausland:** At 31 May 2013, the Housing Executive had 5,337 properties within their Newtownabbey 2, Carrickfergus and Larne local office areas. Of these, 78 properties were vacant; with only 22 in a lettable condition. The remainder were vacant for a variety of reasons such as undergoing repairs or decanting of tenants.

The table below details the breakdown of vacant stock by the various Housing Executive local offices in question.

Local Office area	Total Stock	Tenanted Stock	Total Vacant
Newtownabbey 2	2,138	2115	23
Carrickfergus	1,901	1863	38
Larne	1,298	1281	17
<b>Total</b>	<b>5,337</b>	<b>5259</b>	<b>78</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Social Housing: Waiting List, Dromore, County Down

**Mrs Hale** asked the Minister for Social Development to detail the current social housing waiting list for Dromore, Co. Down.

**(AQW 24053/11-15)**

**Mr McCausland:** The table below details the social housing waiting list for Dromore as at 1 June 2013.

Area	Social Housing Waiting List
Dromore Rural Cottages	2
Dromore Town Centre	76
Dromore/Ballela	0
<b>Total</b>	<b>78</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Social Housing: Newbuild at Bayview Park, Derrymore

**Mrs D Kelly** asked the Minister for Social Development for an update on the proposed new build social housing at Bayview Park, Derrymore, Aghagallon, including the timescale for completion.

**(AQW 24056/11-15)**

**Mr McCausland:** The proposed scheme at Bayview Park for 4 No. 5 person/3 bedroom units is being taken forward by Clanmil Housing Association. A Consultant Architect has been appointed and Clanmil intend to commence the community consultation process by end June, with a view to submitting a planning application in September/October 2013.

The Housing Association is currently working towards achieving an onsite start for this scheme of March 2014.

### Maximising Incomes and Outcomes Community Roadshows

**Mr Swann** asked the Minister for Social Development to detail (i) the number of Maximising Incomes and Outcomes community roadshows that have been planned to date; (ii) the cost of these roadshows; (iii) the sponsorship that has been received for each roadshow; (iv) how sponsorship was sought and what procurement process was followed; (v) the monitoring and evaluation criteria that have been identified in relation to assessing the outcome of the roadshows.

**(AQW 24075/11-15)**

**Mr McCausland:**

- (i) The first Maximising Incomes & Outcomes Community Roadshow Event is planned for 20 June 2013 in the Ballymoney Council area. A similar event is planned for each Council area across Northern Ireland by 2016.
- (ii) It is anticipated that the first roadshow will cost in the region of £1,000.

- (iii) No financial sponsorship has been sought or received for the roadshows.
- (iv) No financial sponsorship has been sought or received for the roadshows.
- (v) The following criteria will be used after each roadshow in each Council area:
  - The number of people attending;
  - The number of organisations participating to promote benefits, services and supports;
  - The number of benefit entitlement checks delivered; and
  - The amount of people benefiting and the additional benefits secured.



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# Northern Ireland Assembly

Friday 21 June 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### Active Ageing Strategy

**Mr McCarthy** asked the First Minister and deputy First Minister for an update on the Active Ageing Strategy.  
(AQO 3829/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The new draft Active Ageing Strategy has been extensively reworked following feedback from the Ageing Strategy Advisory Group, chaired by Claire Keatinge, the Commissioner for Older People.

The draft Active Ageing Strategy highlights the key issues facing older people and will be implemented through the Delivering Social Change framework with a focus on what departments can do to add to existing work to make a strategic change to services or programmes in relation to older people.

The specific scope of the Delivering Social Change Signature Programmes, their associated targets and reporting mechanisms are currently the focus of revised discussions with departments. We are keen that these targets should be robust and ambitious and have asked officials to revisit this in a new round of meetings with relevant departments prior to full public consultation.

#### Age Discrimination: Goods, Facilities and Services

**Mr Agnew** asked the First Minister and deputy First Minister when the consultation on age discrimination in the delivery of goods, facilities and services will be launched.  
(AQW 23165/11-15)

**Mr P Robinson and Mr M McGuinness:** We are currently considering the scope of the legislation and the implications of the various options available to us for taking this forward.

When we are satisfied that a full suite of policy proposals has been developed to achieve the intended outcome, we will launch the consultation.

#### Peace Building and Conflict Resolution Centre

**Mr Nesbitt** asked the First Minister and deputy First Minister, pursuant to AQW 22807/11-15, to outline the relevant guidance referred to in the answer.  
(AQW 23801/11-15)

**Mr P Robinson and Mr M McGuinness:** The projections were calculated in line with departmental guidance relevant to the internal business case process.

#### Peace Building and Conflict Resolution Centre: Education, Research, Teaching and Learning Work

**Mr Nesbitt** asked the First Minister and deputy First Minister, pursuant to AQW 22921/11-15, to outline the preliminary overview of the Education, Research, Teaching and Learning work strand of the Peace Building and Conflict Resolution Centre.  
(AQW 23804/11-15)

**Mr P Robinson and Mr M McGuinness:** The Education, Research, Teaching and Learning work strand of the Peace Building and Conflict Resolution Centre will support conflict resolution, peace building studies and research both here and internationally.

It will potentially provide a venue for local conferences, workshops and summer schools and explore issues relating to conflict, racism and wider citizenship work. It will build on the existing expertise of Queen's University, the University of Ulster and other education providers.

Extensive stakeholder engagement will take place on the development of the functions and services of this important work strand. No final decisions have been taken on the nature of the work.

## Internet: Online Dangers

**Mrs Overend** asked the First Minister and deputy First Minister for an update on the gapping and mapping exercise in relation to internet safety for children.

**(AQW 23916/11-15)**

**Mr P Robinson and Mr M McGuinness:** Given growing concern over the online dangers children face, OFMDFM in collaboration with the Department of Health, Social Services and Public Safety initiated an exercise earlier this year to take stock of actions being undertaken or planned by relevant Executive Departments to address this issue.

To facilitate this exercise, key departments were asked to report on current actions under the headings of policy and strategy, awareness, best practice, regulation, research and monitoring and 'other' gaps in terms of existing actions or measures and any further actions which could be taken forward to promote better internet safety for children and young people.

The opportunities for cross-departmental action in response to the findings are currently under consideration.

## M1: Balmoral/Knockmore Link

**Mr Craig** asked the First Minister and deputy First Minister, given the success of the recent Balmoral Show at its new venue, can they confirm that adequate funds will be provided to facilitate the provision of the M1 link and fit for purpose infrastructure between the site and the Knockmore rail halt.

**(AQO 4234/11-15)**

**Mr P Robinson and Mr M McGuinness:** The regeneration of the Maze/Long Kesh site is one of the Executive's commitments identified under the Programme for Government for 2011-15. Under that commitment, a key objective for the Maze/Long Kesh Development Corporation is delivery of the necessary infrastructure both internally and externally to facilitate the development of the site.

OFMDFM allocated £21m in the current CSR period to prepare the site and provide the essential utilities, including development of necessary roads infrastructure. Therefore, funding for the infrastructure you have outlined could be made available from within the current allocation, if required.

The processes and timescales involved in developing this type of infrastructure would indicate that we may require expenditure in the next budget period and, if so, we would bid to secure all necessary funds to ensure the completion the work.

We are committed to working with the MLK Development Corporation, Roads Service and the Minister for Regional Development to seek the completion of the necessary road infrastructure as quickly as possible.

## St Patrick's Barracks, Ballymena

**Mr Frew** asked the First Minister and deputy First Minister for what short-term purpose will the land at St Patricks Barracks, Ballymena be used, until a master plan for the site is agreed.

**(AQO 4242/11-15)**

**Mr P Robinson and Mr M McGuinness:** Our officials have met with and continue to liaise with Ballymena Borough Council to consider if there is potential for short-term uses for the land at St Patricks Barracks in Ballymena. Discussions have also been held with other public sector organisations on the potential use of land or buildings as an interim measure but no firm proposals have been received and the lack of on-site utilities and services limits the uses which would be feasible.

Under the Hillsborough Agreement, the St Patricks site was gifted to the Executive to raise funds from the eventual disposal of the site and not for the purposes of regeneration by OFMDFM.

# Department of Agriculture and Rural Development

## Civil Service: DARD Staff

**Mr Campbell** asked the Minister of Agriculture and Rural Development to detail (i) the number of people; and (ii) the community background, of those recruited to her Department, in each of the last five calendar years.

**(AQW 23784/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Although the NICS Departments are largely autonomous business units covering a wide range of functions and responsibilities, their Human Resource policies and practices including recruitment are common and corporate. In addition, for the purposes of the fair employment legislation, the NICS is regarded as one employer and the Department of Finance and Personnel (DFP) therefore carries out equality monitoring on behalf of all NICS Departments and Agencies.

The NICS does not hold the religious background of staff, however as required by fair employment legislation, information is gathered on the perceived community background of staff and applicants for NICS posts. This enables DFP to provide the statutory annual monitoring returns to the Equality Commission for NI and to carry out regular three-yearly reviews of workforce composition and employment policies and practices.



The information requested is set out below:

	Protestant	Roman Catholic	Not Determined	Total
2012	43	51	13	107
2011	30	39	13	82
2010	33	38	6	77
2009	41	32	6	79
2008	88	77	12	177

#### Note

Based on joiners records on HRMS/HRConnect.

Includes both permanent and temporary appointees.

Excludes existing NICS employees successful in external recruitment competitions.

### Single Farm Payment: Woodland Exemptions

**Mr Kinahan** asked the Minister of Agriculture and Rural Development to clarify the position of farmers in relation to Single Farm Payment for buffer zone tree compounds/areas created through the building of major roads and such similar constructions.

**(AQW 23928/11-15)**

**Mrs O'Neill:** Land will only be eligible for Single Farm Payment (SFP) following the completion of building or construction work if it remains in agricultural use and meets Land Eligibility requirements. These are set out in the 2013 guidance booklet on the DARD website at: [http://www.dardni.gov.uk/guide\\_to\\_land\\_eligibility\\_updated\\_2013\\_final.pdf](http://www.dardni.gov.uk/guide_to_land_eligibility_updated_2013_final.pdf)

In general, woodland is not eligible for Single Farm Payment (SFP).

There are however, some exceptions to the eligibility of trees and woodland for SFP. These include:

- Grazed woodland with more than 50 trees per hectare may be considered eligible if there has been a history of acceptable grazing practice and there continues to be sufficient forage and evidence of acceptable grazing. The grazing must not be damage the ecological value of the site. If these areas have been fenced off and are not accessible to and grazed by animals, then they are not eligible for SFP.
- Land that was eligible and on which SFP was paid in respect of 2008 scheme year and is subsequently (after 31 December 2008) converted to forestry under an EU scheme or has been planted with trees under an EU Agri-environment scheme, remains eligible for the duration of the forestry or EU Agri-environment scheme.

If there are single trees, a line or a small clump of trees with grazing available right up to the trees, these can be considered eligible.

Where eligible trees or woodland have been temporarily removed from agricultural use to accommodate land vested for the building of roads or other similar construction, it may be possible to consider this under the force majeure or exceptional circumstances provisions in relation to a claim for SFP.

Farmers who find themselves in this position have to complete the relevant application form within 10 days of being in a position to do so and provide evidence to support this application. These are considered on a case by case basis. Further information is available in the Guide on how to complete the 2013 Single Application on the DARD website at [http://www.dardni.gov.uk/index/publications/pubs-dard-grants-and-funding/publications\\_grants\\_and\\_funding-single\\_farm\\_payment\\_2013.htm](http://www.dardni.gov.uk/index/publications/pubs-dard-grants-and-funding/publications_grants_and_funding-single_farm_payment_2013.htm)

### North Down: Rural Villages

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the villages in North Down that are classified as rural villages.

**(AQW 23992/11-15)**

**Mrs O'Neill:** The villages in North Down that are classified as rural, for Rural Development funding purposes are

#### Location

- Craigantlet
- Crawfordsburn
- Groomsport
- Helen's Bay
- Orlock
- Seahill
- Six Road Ends/Ballygrainey

## Rural Regeneration: County Down Spend

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the villages in County Down that have benefited from rural regeneration spending; and the total provided to each village.

**(AQW 23994/11-15)**

**Mrs O'Neill:** I am presuming your question relates to rural development spending and in particular the Village Renewal and Development Measure of Axis 3 of the current Rural Development Programme. The villages in County Down that have benefited from rural development spending, so far, and the total provided to each village is listed in the attached Annex.

## Single Farm Payment: Late Payments

**Mr Campbell** asked the Minister of Agriculture and Rural Development, of the farms inspected where Single Farm Payment applications had been submitted, how many payments were made five months or more after the initial application was made, in each of the last four calendar years.

**(AQW 24006/11-15)**

**Mrs O'Neill:** In the past four years the Department of Agriculture and Rural Development has made all Single Farm Payments (SFP) more than five months after 15 May, the annual deadline for the submission of applications without penalty. This is because the European Council legislation which governs the administration of the SFP Scheme permits Paying Agencies to commence full payments on or after 1 December each year.

## European Fisheries Fund: Budget

**Mr Nesbitt** asked the Minister of Agriculture and Rural Development to detail (i) the budget available from the European Fisheries Fund for each measure for each year between 2009 and 2015; (ii) the amount spent on each measure within each year to date; (iii) the number of applications for each measure which were (a) successful; and (b) unsuccessful for each year to date.

**(AQW 24030/11-15)**

**Mrs O'Neill:** The EFF budget available is set out in Table 1, the yearly spend in Table 2 and number of successful and unsuccessful applications in Table 3 below.

In addition to the yearly measure level spend detailed in Table 2, £161,336 of Axis 5 Technical Assistance has been spent by the Department to assist with the delivery of the Programme.

**Table 1: total budget allocation approved in the Measure level business cases for the period 2009 to 2015**

	Budget Available 2009 -2015
Investments on board fishing vessels and selectivity	£2,500,000
Small-scale coastal fishing	£600,000
Productive investments in aquaculture	£1,600,000
Investments in processing and marketing	£2,400,000
Collective actions	£2,416,000
Protection and development of aquatic fauna and flora	£1,500,000
Fishing ports, landing sites and shelters	£3,500,000

**Table 2: Amount spent on each EFF measure.**

	2009	2010	2011	2012	2013 (to 31 May)
Investments on board fishing vessels and selectivity	£0	£0	£67,558	£347,904	£57,364
Small-scale coastal fishing	£0	£0	£0	£10,374	£5,532
Productive investments in aquaculture	£0	£0	£59,210	£261,875	£28,887
Investments in processing and marketing	£0	£120,800	£282,946	£599,853	£59,459
Collective actions	£0	£205,980	£325,814	£623,691	£74,714
Protection and development of aquatic fauna and flora	£0	£259,210	£0	£287,400	£269,730
Fishing ports, landing sites and shelters	£0	£700,192	£164,124	£1,916,063	£225,233

**Table 3: the number of applications for each measure which were (a) successful; and (b) unsuccessful**

	2009		2010		2011		2012		2013 (to 31 May)	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
Investments on board fishing vessels and selectivity	0	0	6	0	29	9	31	4	23	1
Small-scale coastal fishing	0	0	0	0	0	1	1	0	0	0
Productive investments in aquaculture	0	0	1	1	2	0	1	1	2	0
Investments in processing and marketing	1	0	6	1	8	0	5	0	2	0
Collective actions	7	4	14	0	9	0	1	0	2	0
Protection and development of aquatic fauna and flora	0	0	1	0	0	0	0	0	0	0
Fishing ports, landing sites and shelters	6	0	2	0	2	0	3	0	0	0

### European Fisheries Fund: DARD Guidance

**Mr Nesbitt** asked the Minister of Agriculture and Rural Development what advice, support and assistance her Department provides to the fishing, processing and aquaculture sectors, apart from the grant support element of the European Fisheries Fund. (AQW 24031/11-15)

**Mrs O'Neill:** My Department's Sea Fisheries Inspectorate offers advice, support and guidance through fishery officers based at the 3 main fishing ports of Ardglass, Portavogie and Kilkeel and the north coast. Technical advice and assistance is also frequently provided to the industry by Headquarters based inspectorate and policy staff on issues such as compliance with European Regulations, fishing vessel licencing, quota and effort management, and making grant applications.

The Aquaculture and Fish Health inspectorate also provide technical support to fish farmers and are available to facilitate trade in aquaculture products. Again, advice and guidance to the aquaculture sector on implementation of the EU aquatic animal health regime including assistance with regard to import and export requirements documentation is readily available.

The Department also funds the Fisheries and Aquatics Ecosystems Division of Agri-food and Biosciences Institute (AFBI). AFBI carries out a comprehensive range of research and surveys of fish stocks and marine ecosystems around our coast that is used by fisheries managers and stakeholders manage and develop sustainable fisheries. Examples of AFBI's recent work includes camera surveys of the Irish sea Nephrops stocks and acoustic surveys of Irish Sea herring stocks that have been vital for robust stock assessments and increasing and maintaining the Total Allowable Catch available to our fishermen.

My Department also co – funds, along with the Sea Fish Industry Authority, a dedicated local facilitator who works on behalf of sea fishing industry to identify and develop beneficial projects and opportunities.

### European Fisheries Fund: Applications

**Mr Nesbitt** asked the Minister of Agriculture and Rural Development when each measure within the European Fisheries Fund programme (i) had its measure-level business case approved; and (ii) opened for applications. (AQW 24032/11-15)

**Mrs O'Neill:** Please find attached at Appendix 1 a table detailing the dates of approval of the business cases for each measure of the European Fisheries Fund and when each opened for applications.

#### Appendix 1

Measure	Date measure level business case approved	Date opened
Investments on board fishing vessels and selectivity	24 August 2010	1 September 2010
Small-scale coastal fishing	21 February 2011	23 February 2011
Productive investments in aquaculture	27 July 2009	3 August 2009
Investments in processing and marketing	24 July 2009	3 August 2009
Collective Actions	28 July 2009	3 August 2009
Protection and development of aquatic fauna and flora	26 January 2010*	8 April 2010
Fishing ports, landing sites and shelters	7 August 2009	24 August 2009

\*No measure level business case was required as the only identified need for support under this measure was the Lough Neagh Eel Management Plan. Matched National funding is provided by DCAL, which secured budget approval on 26 January 2010.

### Fisheries Grants Unit: Staff

**Mr Nesbitt** asked the Minister of Agriculture and Rural Development to detail the number of staff employed within the Fisheries Grants Unit in each of the last four years.

**(AQW 24033/11-15)**

**Mrs O'Neill:** Please find attached at Appendix 1 a summary of the staff employed within Fisheries Grants Unit in each of the last four years

#### Appendix 1

Grade	2009	2010	2011	2012
Grade 7*	0.25	0.25	0.25	0.25
Deputy Principal	1	1	1	1
Staff Officer	1	1	1	1
Executive Officer 1	1	1	1	1
Executive Officer 2	2	2	2	2
Administrative Officer	2	2	2	2

\* Proportion of Grade 7 time allocated to Fisheries Grants Unit

### Agrifood: Review Recommendations

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development, pursuant to AQW 23334/11-15, to list the 63 recommendations of The Independent Review Panel accepted by her Department; and the actions taken to implement these recommendations.  
**(AQW 24055/11-15)**

**Mrs O'Neill:** The 63 accepted or accepted in principle recommendations from the NI Agri-Food Better Regulation and Simplification Review which my Department had input to are listed on the attached table (placed in library) together with the actions taken to implement them.

### Funding: GAA/Cricket Clubs

**Mr Campbell** asked the Minister of Agriculture and Rural Development how many (i) cricket; and (ii) GAA clubs have applied for funding for Capital Projects under the recent Strategic Projects offer.

**(AQW 24058/11-15)**

**Mrs O'Neill:** Under the recent competitive call for strategic projects there were no applications from cricket clubs and two applications for GAA clubs. Of the two GAA clubs one was successful in securing an offer of funding.

### Brucellosis: Cattle Movement

**Mr Frew** asked the Minister of Agriculture and Rural Development, pursuant to AQW 22602/11-15, how many animal movements were there in the twelve months ending 28 February 2013.

**(AQW 24076/11-15)**

**Mrs O'Neill:** There have been 1,548,048 individual cattle movements in the north of Ireland, in the year up to 28 February 2013.

### USPCA

**Mrs Dobson** asked the Minister of Agriculture and Rural Development who regulates the Ulster Society for the Prevention of Cruelty to Animals.

**(AQW 24246/11-15)**

**Mrs O'Neill:** The Ulster Society for the Prevention of Cruelty to Animals (the USPCA) is a registered charity and as such is regulated by the Charity Commission. Historically, the USPCA has had no statutory role or enforcement powers under animal welfare legislation; and the Welfare of Animals Act 2011 does not change that. The provisions to protect animal welfare in the Welfare of Animals Act apply equally to the USPCA as they apply to any individual, organisation or charity.

## Forest Service: Land

**Mr F McCann** asked the Minister of Agriculture and Rural Development to detail the land owned by the Forest Service in the greater Belfast area; and to provide a map detailing this.

**(AQW 24253/11-15)**

**Mrs O'Neill:** The Forest Service agency of my Department, manages approximately

93ha of land in the Greater Belfast area, at Belvoir Park Forest and Hydebank Wood. Approximately 34ha of this land is owned and the remaining 59 ha is leased from the Northern Ireland Housing Executive. A map detailing the total area is attached (placed in library).

## Smith v USPCA

**Mr Frew** asked the Minister of Agriculture and Rural Development, in light of the Smith versus Ulster Society for the Prevention of Cruelty to Animals civil case in Armagh court on 21 May 2013, what measures will she employ to monitor and regulate charities who work with animals and whether this is best addressed through new or amended legislation.

**(AQW 24261/11-15)**

**Mrs O'Neill:** The welfare of animals here is protected by the Welfare of Animals Act 2011 (the 2011 Act). The 2011 Act is enforced by my Department in respect of farmed animals; Councils in respect of non-farmed animals; and the PSNI in respect of animal fighting and cases where other criminal activity is involved. It is an offence under the 2011 Act to allow an animal to suffer unnecessarily. Under the 2011 Act, Inspectors and PSNI Officers have powers to investigate such cases and prosecute offenders as necessary. These provisions apply to all protected animals including those held in animal sanctuaries run by charities and others.

As well as this, the 2011 Act provides powers for my Department to make subordinate legislation to regulate any activity involving animals in order to protect their welfare. Therefore, if it is deemed necessary, Regulations can be made specifically to protect the welfare of animals held in sanctuaries and charities.

Officials from my Department are reviewing Regulations regarding the welfare of animals in petshops, animal boarding establishments and riding establishments, the inspection of which currently falls to my Department. These Regulations were made under the Welfare of Animals Act 1972 and now need to be remade under the 2011 Act. I have asked my officials to take the opportunity to consider whether we need to legislate for other establishments such as open farms, pet grooming businesses, and animal charities, or sanctuaries. Any proposals will be subject to a full public consultation exercise.

## Department of Culture, Arts and Leisure

### Ulster-Scots: DCAL Publications

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure what other publications her Department has produced since the inception of the Ulster Scots newspaper.

**(AQW 20488/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** My Department has produced two Ulster-Scots related publications since the inception of the Ulster-Scots newspaper, as follows:

- (i) The draft Strategy for Ulster Scots Language, Heritage and Culture in July 2012; and
- (ii) The proposed Development and Research Strategy and Associated Grant Scheme for The Ulster-Scots Academy in October 2012.

In addition to the two above strategies, the Ulster-Scots Agency provide a monthly electronic Newsletter to those who have subscribed to the service via the Agency website.

The Agency also produced an annual magazine – 'Oot an Aboot', with editions in December 2008, December 2009 and June 2011. This magazine is no longer produced.

### Pitches: Council Area

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the number of third and fourth generation synthetic sports pitches in each council area.

**(AQW 21288/11-15)**

**Ms Ní Chuilín:** Neither my Department nor Sport NI retains up to date information on the number of third and fourth generation synthetic pitches in each council area. I have, however, asked Sport NI to carry out an audit of all sports facilities across the north of Ireland, including synthetic pitches. When completed, this information will be made available on Sport NI's website.

### Pitches: Council Area

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the number of new third and fourth generation synthetic sports pitches that are planned for each council area over the next three years.

**(AQW 21289/11-15)**

**Ms Ní Chuilín:** Responsibility for the provision of local sports facilities rests, in the first instance, with district councils. Sport NI, which is an arms length body of my Department, advises, however, that it will be providing assistance through its Sport Matters Community Capital Programme towards the development of 3rd generation synthetic pitches in 2013/14. This will be subject to applicants meeting the terms and conditions of Sport NI's Project Management Reports. Pitches in the following council areas are planned:

District Council	Number of pitches
Ards Borough Council	1
Armagh City and District Council	1
Banbridge District Council	1
Craigavon Borough Council	2
Dungannon District Council	2
Larne Borough Council	1

In addition, I have asked Sport NI to carry out an audit of all sports facilities across the north of Ireland. This will include information on existing and planned synthetic pitches which in turn will assist with strategic planning. When completed, this information will be made available on Sport NI's website.

### Glenavon Football Club: Funding

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure for a breakdown of all funding and assistance provided by her Department to Glenavon Football Club, in the last five years.

**(AQW 21463/11-15)**

**Ms Ní Chuilín:** Sport NI, an arms length body of my Department, is the primary funder to sport in the north of Ireland. During the last 5 years, up to 31 March 2013, Sport NI has provided exchequer funding totalling £367,537 to Glenavon Football Club. This is broken down as follows:-

Year	Amount	Programme
2009/10	£32,260	Soccer Strategy Playing Facilities
2010/11	£208,598	Soccer Strategy Playing Facilities
2010/11	£12,302	Stadia Safety Urgent Works (Infrastructure)
2011/12	£94,598	Soccer Strategy Playing Facilities
2011/12	£6,760	Stadia Safety Urgent Works (Infrastructure)
2011/12	£5,342	Stadia Safety Urgent Works (Equipment)
2012/13	£7,677	Soccer Strategy Playing Facilities

### Translation Services: DCAL Spend

**Mr Craig** asked the Minister of Culture, Arts and Leisure how much her Department spent on translation services for visiting foreign nationals in each of the last five years.

**(AQW 21527/11-15)**

**Ms Ní Chuilín:** The Department spent £2,888 on translation services for visiting foreign nationals in the 2012-13 financial year.

No such costs were incurred in any of the previous four financial years.

### National Museums Northern Ireland: Bonuses

**Mr Copeland** asked the Minister of Culture, Arts and Leisure for a breakdown of the bonuses paid to the directors at National Museums Northern Ireland, in each of the last ten years.

**(AQW 21533/11-15)**

**Ms Ní Chuilín:** The breakdown of the bonuses paid to National Museums' directors in each of the last 10 years is as follows:

Calendar Year	Number of Directors employed	Total amount paid in bonuses (£)
2003	3	50
2004	5	280
2005	5	6,215
2006	7	12,100
2007	7	11,812
2008	8	20,200
2009	8	20,550
2010	6	1,000
2011	6	0
2012	6	0

### Strategic Investment Board: Assets

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 17631/11-15, to detail the nature of the £0.62m in assets that her Department has identified to the Asset Management Unit of the Strategic Investment Board, broken down by year.

**(AQW 21584/11-15)**

**Ms Ní Chuilín:** The table below provides details of the assets and their valuations provided to the Strategic Investment Board.

I should emphasise that actual disposals, their timing and value may differ from this plan for a number of reasons, including market conditions. At the time of writing, two of the assets have now been disposed of: Ballymacarrett and Andersonstown Libraries.

Disposal Plan	2012/2013 Value	2013/2014 Value	2014/2015 Value
Ligoniel Library	£0.090m		
Ballymacarrett Library	£0.075m		
Andersonstown Library	£0.080m		
Ballynahinch Library HQ	£0.150m		
Braniel Library	£0.075m		
Gilnahirk library	£0.040m		
Dunmurry library	£0.050m		
Belvoir library		£0.020m	
Gilford library		£0.040m	
<b>Totals</b>	<b>£0.560m</b>	<b>£0.060m</b>	

### Rivers: Water Quality

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure what action she is taking to ensure that lay people, such as those in River Trust and angling groups, are trained as samplers and monitors of our rivers.

**(AQW 21588/11-15)**

**Ms Ní Chuilín:** The Department of Environment, through the Northern Ireland Environment Agency (NIEA), is responsible for taking water samples and monitoring the water quality of our rivers under the EU Water Framework Directive.

My Department has no role in sampling and monitoring water quality.

### Lough Neagh: Illegal Netting

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure for her assessment of the impact of the crackdown on illegal netting in Lough Neagh.

**(AQW 21641/11-15)**

**Ms Ní Chuilín:** DCAL Fisheries Protection staff continue to carry out intelligence led operations, often in conjunction with other enforcement agencies, to detect, disrupt and deter those involved in illegal fishing activities on Lough Neagh.

Net seizures on Lough Neagh are down on the same period in the previous year, which would indicate that the focussed enforcement activities are having a deterrent effect on those involved in illegal fishing activity.

### **Lough Neagh: Fish Stocks**

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure how she plans to collect data on the fish stocks in Lough Neagh. (AQW 21642/11-15)

**Ms Ní Chuilín:** Lough Neagh is the one of the largest freshwater lakes in Europe and this poses significant challenges in collecting accurate fish stock data.

The North Atlantic Salmon Conservation Organisation (NASCO) places commitments on DCAL to record data on wild Atlantic salmon and this work is carried out by the Agri-Foods and Biosciences Institute (AFBI). Data is collected from the tributaries of Lough Neagh through electro-fishing surveys, habitat surveys, monitoring of adult runs through fish counters and from angling catch returns. Electro-fishing surveys and habitat surveys also provide the Department with details of other fish species present in Lough Neagh tributaries.

Eels stocks in Lough Neagh are monitored as part of the Neagh Bann Eel Management Plan and details of monitoring arrangements are detailed within it.

DCAL has commissioned AFBI to carry out a review of the status of wild trout stocks in the DCAL area, including Lough Neagh, and the report on this work is currently being drafted.

AFBI is currently undertaking netting surveys of all fish stocks on Lough Neagh and DCAL will have the results in due course.

### **Lough Neagh: Illegal Netting**

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure for an update on the amount of illegal netting found in Lough Neagh; and the work ongoing to prevent such illegal netting. (AQW 21643/11-15)

**Ms Ní Chuilín:** For the period 1 April 2012 to the end of March 2013, 22 nets with a total length of 23,000m were seized in Lough Neagh by DCAL Fisheries Protection Officers. There have been a total of 111 boat patrols on Lough Neagh during that period.

The Department will seize illegal nets from wherever they are detected including boats, commercial premises, quaysides, vehicles etc.

DCAL Fisheries Protection staff continue to carry out intelligence led operations, often in conjunction with other enforcement agencies, to detect, disrupt and deter those involved in illegal fishing activities on Lough Neagh.

### **Salmon: Conservation and Protection**

**Mr Weir** asked the Minister of Culture, Arts and Leisure what studies her Department has made of salmon conservation and protection in other jurisdictions; and what lessons have been learned. (AQW 21656/11-15)

**Ms Ní Chuilín:** My Department is committed to the work of the North Atlantic Salmon Conservation Organisation (NASCO). NASCO aims to conserve, restore, enhance and manage Atlantic salmon stocks through international co-operation and in exchanging best practice among the participating countries.

My Department reports annually on all salmon conservation measures and activities and the assessments have indicated that we are operating in line with NASCO principles and best practice.

My officials and AFBI scientists are active participants in NASCO meetings and expert panels involving countries within the European Union where wild Atlantic salmon conservation and protection are discussed in detail. They also provide direct support for the EU representatives at the NASCO annual conference.

My Department also works closely with both the Loughs Agency and Inland Fisheries Ireland on salmon conservation and protection issues across Ireland.

### **Sport NI: Lottery Funding**

**Mr McDevitt** asked the Minister of Culture, Arts and Leisure how much funding Sport NI has returned to the National Lottery in each of the last three years; and to outline the reasons why this funding was returned. (AQW 21666/11-15)

**Ms Ní Chuilín:** In the last three years SportNI has not returned any funding to the National Lottery.



## Football: Financial Assistance

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the total financial assistance or capital grants provided to local football teams below the Premiership division, in each of the last five years.

**(AQW 21731/11-15)**

**Ms Ní Chuilín:** Over the last five years, Sport NI, an arm's-length body of my Department, provided £6,256,009 funding to local football clubs, who were below the Premiership division at the date of the funding award. A breakdown of the total funding provided during this time is shown in the table below: -

Financial Year	Exchequer	Lottery	Total Funding
2008/09	£976,217	£1,642,000	£2,618,217
2009/10	£1,250,775	£245,000	£1,495,775
2010/11	£1,138,541	-	£1,138,541
2011/12	£758,476	-	£758,476
2012/13	£245,000	-	£245,000
<b>Total Funding</b>	<b>£4,369,009</b>	<b>£1,887,000</b>	<b>£6,256,009</b>

## Royal Charter

**Mr Weir** asked the Minister of Culture, Arts and Leisure what plans her Department has to assist towns and cities celebrate the 400th anniversary of the granting of the Royal Charter.

**(AQW 21751/11-15)**

**Ms Ní Chuilín:** I have approved funding for the Ministerial Advisory Group (MAG) – Ulster Scots Academy to undertake a partnership project with the Ulster Historical Foundation, to research the impact and contribution of the award of Town Charters in the early part of the 17th Century.

This project will have a particular emphasis on the Ulster-Scots dimension to Charters awarded across the island of Ireland. The research will be used to develop a Charters award touring programme in conjunction with the Ulster Scots Agency and Foras na Gaeilge to disseminate the findings across the island.

The MAG Academy has also allocated £42,500 to fund the development of a walking trail by Coleraine Borough Council. The project will create a legacy for Coleraine town centre to commemorate the 400th anniversary of the town's Charter.

The Public Record Office of Northern Ireland (PRONI) has delivered a series of lectures on Charter Towns at a number of libraries including Enniskillen, Killyleagh, Bangor and Belfast. A future talk has also been organised for Coleraine. In collaboration with Belfast City Council and the Ulster Society for Irish Historical Studies, PRONI participated in the Belfast 400 Forum and the Belfast 400 Festival. PRONI has also supported 400th exhibitions in Belfast, Newtownards and Coleraine.

Libraries NI is developing a programme of exhibitions, history workshops and talks in partnership with other organisations. Libraries NI also has significant Heritage collections across the north of Ireland and it will be drawing on these resources to support this activity and promoting relevant materials as part of this programme.

National Museums is offering loan of relevant materials to museums and other appropriate venues across the North in support of relevant programmes.

## Líofa

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure, in relation to the Líofa Initiative, how her Department targeted those from a socially or economically deprived background.

**(AQW 21850/11-15)**

**Ms Ní Chuilín:** The Gaeltacht Bursary Scheme has been developed and the criteria established to target Líofa applicants who are from socially or economically deprived backgrounds and to support individuals with financial outlays which may otherwise be a barrier to them accessing an Irish Language Gaeltacht course.

Applicants must be signed up to Líofa and details of the Gaeltacht Bursary Scheme were e - mailed to all Líofa participants. The Department also advertised the Scheme widely in the newspapers and has distributed posters and leaflets to schools throughout the north which would include schools in socially and economically deprived areas. In addition, details of the Scheme were circulated to a wide range of Irish Language organisations some of which are located in socially and economically deprived areas.

## Performing Arts

**Ms Lo** asked the Minister of Culture, Arts and Leisure which performing arts events funded by the Arts Council of Northern Ireland, has she attended in the last twelve months.

**(AQW 21937/11-15)**

**Ms Ní Chuilín:** I receive a large number of invitations to attend performances and other events and meetings related to the arts but due to competing commitments across the spectrum of my Department's responsibilities I am only available to attend a limited number of performing arts events. Not all of these will have received funding from the Arts Council.

During the past twelve months I attended two performing arts events that were funded by the Arts Council of Northern Ireland.

## Performing Arts

**Ms Lo** asked the Minister of Culture, Arts and Leisure how many performing arts events departmental officials have attended in the last twelve months.

**(AQW 21938/11-15)**

**Ms Ní Chuilín:** In the 12 months from April 2012 to March 2013 my Departmental Officials have attended 48 performing arts events.

## Arts Sector

**Ms Lo** asked the Minister of Culture, Arts and Leisure what steps she is taking to address the lack of a coherent policy framework for the professional arts sector.

**(AQW 21939/11-15)**

**Ms Ní Chuilín:** The public consultation on the Arts Council's draft Plan for Arts in Northern Ireland 2013-2018 ends on 29th April. This will be brought for my formal approval once the responses to the consultation have been evaluated. In tandem my Department is currently at the initial stages of scoping the development of an Arts & Culture Strategy for the north.

## Creative Industries

**Ms Lo** asked the Minister of Culture, Arts and Leisure what role the professional performing arts plays in the development of the creative industries.

**(AQW 21940/11-15)**

**Ms Ní Chuilín:** The performing arts include a diverse range of roles which create employment in the local economy. Whilst the focus is normally onstage, any performance requires a large number of supporting jobs in areas such as set design, costume, lighting and sound.

There are significant interdependencies between the performing arts and other creative industries. Many professionals will learn their 'craft' in theatre and then move into areas such as television, film, music and more broadly into education and community development.

The performing arts therefore help to develop knowledge, skills, training and networks that contribute to the development of the creative industries as a whole.

## Capital Overspend

**Mr Weir** asked the Minister of Culture, Arts and Leisure what steps have been taken to ensure that the capital overspend, that was highlighted in the Audit Office report, cannot be repeated.

**(AQW 21965/11-15)**

**Ms Ní Chuilín:** I can confirm that my Department has accepted all of the recommendations made by the NIAO in its report and is taking appropriate action. However, it would be inappropriate to comment further in advance of the Public Accounts Committee's review.

## Marching Bands: Arts Council Funding

**Mr Weir** asked the Minister of Culture, Arts and Leisure how much grant funding the Arts Council has awarded to marching bands in each of the last three years.

**(AQW 21966/11-15)**

**Ms Ní Chuilín:** Over the last three years the Arts Council NI has awarded the following grant funding to Marching Bands:

Financial Year	Funding Awarded
2012/13	£213,491
2011/12	£200,074

Financial Year	Funding Awarded
2010/11	£216,712

### Unanswered Question: AQW 20685/11-15

**Mr Durkan** asked the Minister of Culture, Arts and Leisure why AQW 20685/11-15 has not yet been answered.  
(AQW 21994/11-15)

**Ms Ní Chuilín:** AQW 20685/11-15 was answered on 24 April 2013.

### Sports Clubs: Adjustments for People with Disabilities

**Mr Hazzard** asked the Minister of Culture, Arts and Leisure what assistance is available for sports clubs to make reasonable adjustments for people with disabilities.  
(AQW 22064/11-15)

**Ms Ní Chuilín:** Responsibility for making reasonable adjustments in sports clubs, for people with disabilities rests, in the first instance, with the owners/operators of those clubs. Sport NI, however, which is an arms length body of my Department, invests annually in Disability Sports NI's (DSNI) Disability Mainstreaming Policy, through which advice, support and guidance is available to sports clubs, who are working towards becoming more inclusive.

Furthermore, in partnership with DSNI, Sport NI has developed and launched Design and Management Guidelines aimed at ensuring that all new sports facilities and extended/altered facilities in the north are built and managed to optimum levels of good practice in terms of access for people with disabilities. Further information can be accessed at:  
[www.dsni.co.uk/joanne/DSNI\\_-\\_Sport\\_NI\\_Design\\_&\\_Management\\_Guidelines\\_-\\_2010\\_Edition\[1\].pdf](http://www.dsni.co.uk/joanne/DSNI_-_Sport_NI_Design_&_Management_Guidelines_-_2010_Edition[1].pdf)

### Soccer Teams: People with Disabilities

**Mr Hazzard** asked the Minister of Culture, Arts and Leisure what support is available to groups which wish to establish a soccer team for people with disabilities.  
(AQW 22065/11-15)

**Ms Ní Chuilín:** Responsibility for the development of soccer in the north of Ireland, including providing support for the establishment of soccer teams, both for able bodied and disabled people, rests in the first instance with the Irish Football Association (IFA).

I am aware that the IFA has a dedicated Disability Department which aims to ensure that all disabled people have the opportunity to participate in soccer activities and are able to fulfil their potential. Furthermore, over the past 8 years the IFA has implemented an extensive range of programmes in special education, disability football club coaching, leagues, cups and various impairment specific programmes.

Further information on the work of the IFA's Disability Department can be obtained from their website at [www.irishfa.com/grassroots/disability-football/](http://www.irishfa.com/grassroots/disability-football/)

### World Police and Fire Games 2013: Volunteers

**Mr Campbell** asked the Minister of Culture, Arts and Leisure when will those who applied to be volunteers at the World Police and Fire Games 2013 be informed of the outcome of their application.  
(AQW 22084/11-15)

**Ms Ní Chuilín:** Notification of volunteers commenced on the 24th April 2013 and will continue through to June 2013.

### Salmon: Fishing Licences

**Mr Swann** asked the Minister of Culture, Arts and Leisure, given the concerns about Northern Ireland's breach of international commitments and the EU Habitats Directive, whether she has issued licences this year for the netting of salmon off the coast.  
(AQW 22086/11-15)

**Ms Ní Chuilín:** Applications have been received from two commercial coastal salmon netmen, who, as they did in 2012, provided an undertaking not to fish for salmon during the 2013 season.

In light of the written undertaking not to fish during the 2013 season, my Department has issued licences to the two fishermen.

### Salmon: Fishing Licences for Lough Neagh

**Mr Swann** asked the Minister of Culture, Arts and Leisure how many licences for fishing with nets in Lough Neagh her Department has issued in 2013 to date; and for her assessment of the impact of this on the salmon population in the 2013 season.  
(AQW 22088/11-15)

**Ms Ní Chuilín:** There have been 11 Lough Neagh draft net licences issued so far in 2013. A total of 22 draft net licences were issued in 2012.

Salmon can only be legally taken on Lough Neagh with a draft net, but these are mainly used to target other fish species. Any salmon taken must have a carcass tag inserted. The returns submitted by draft net licence holders indicate that a total of 20 salmon were taken on Lough Neagh in 2012.

All draft net licence holders were sent a letter by the Department asking that they voluntarily do not fish for salmon in 2013 and where possible return any salmon caught to the water unharmed.

The small number of salmon reported taken by licensed fishermen on Lough Neagh would not have a significant impact on the overall population of salmon in the Lough and its tributaries.

Legislation is currently being drafted to take salmon off the Lough Neagh draft net licence from the 2014 season.

### Salmon: Illegal Fishing

**Mr Swann** asked the Minister of Culture, Arts and Leisure how her Department has sought to ensure that no salmon nets have been placed around the coast this year.

**(AQW 22089/11-15)**

**Ms Ní Chuilín:** DCAL Fisheries Protection Officers continue to carry out surveillance in the areas in which the coastal netsmen operated to ensure that they are complying with their undertakings not to fish and that no other illegal fishing activity is taking place. Patrols are carried out both at sea and along the coastline.

### Salmon: Net Licences

**Mr Swann** asked the Minister of Culture, Arts and Leisure for an update on the negotiations between the holders of licences for salmon nets and her Department on the permanent removal of nets.

**(AQW 22090/11-15)**

**Ms Ní Chuilín:** Departmental officials have had a series of discussions with the coastal salmon netsmen and this process is on-going.

My Department is currently drafting legislation that will bring about a mandatory cessation of all commercial salmon netting across the DCAL jurisdiction from the 2014 season.

### Sectarianism: Boxing/GAA

**Mr Ross** asked the Minister of Culture, Arts and Leisure to outline her Department's approach to sectarianism in sport; and whether she plans to launch reviews of sectarianism in boxing and GAA.

**(AQW 22120/11-15)**

**Ms Ní Chuilín:** I have repeatedly stated that I am committed to combating sectarianism in sport. To that end, my Department's strategy for sport, Sport Matters, contains a number of targets and actions that contribute to curbing sectarianism by helping to promote community cohesion through sport. These include targets to improve participation in sport and physical recreation particularly in under-represented groups of people such as those suffering social and economic inequality. Furthermore, Sport Matters endorses the provision of "shared spaces" for sport that promote community integration. This includes the development of facilities that are safe and accessible to all and the promotion of high standards of spectator conduct at major sporting events. I am aware that the governing body of boxing, the Irish Amateur Boxing Association, has launched a review of past claims of sectarianism within the sport.

### Gaelscéal: Circulation/Profit/Loss

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure to detail the circulation figures and the profit/loss recorded for Gaelscéal in each year from 2010 to date.

**(AQW 22133/11-15)**

**Ms Ní Chuilín:** The average weekly sales figures for the newspaper were as follows:

2010	1,469
2011	1,846
2012	1,314

The publisher of Gaelscéal, Torann na dTonn Teoranta is a limited company and subject to the relevant company's legislation in the South. In addition to not achieving the contractual sales targets, Torann na dTonn reported to Foras na Gaeilge a small profit €534 in 2010 and losses of €52,128 in 2011 and €72,857 in 2012.

## UK City of Culture

**Mr Campbell** asked the Minister of Culture, Arts and Leisure whether discussions have been held between UK City of Culture employees and elected representatives in the North West area to ensure that events held under the auspices of the first UK City of Culture year are capable of support from all sections of the community.

**(AQW 22148/11-15)**

**Ms Ní Chuilín:** Derry City Council has advised that the Culture Company has had regular engagement with a range of political parties. These parties are represented on the Culture Company Board and have the opportunity to consider and comment upon the events in the City of Culture Programme.

There is also ongoing dialogue with MPs and MLAs and relevant Ministers within the Executive who regularly attend and participate in meetings, briefings, events and launches. The Culture Company actively encourages these stakeholders to be engaged with the events in the Programme.

Furthermore, the Culture Company Chair, Martin Bradley, attends the Unity of Purpose group, chaired by Jim Roddy. This group involves local MPs and MLAs and focuses on shared issues in the city. City Of Culture is a standing item on the agenda.

## Outdoor Bowls: Participation

**Mr Weir** asked the Minister of Culture, Arts and Leisure what steps her Department is taking to increase participation in outdoor bowls.

**(AQW 22179/11-15)**

**Ms Ní Chuilín:** Responsibility for increasing participation in outdoor bowls rests, in the first instance, with the governing bodies for the sport, the Irish Bowling Association and the Irish Women's Bowling Association. Having said that, my Department's strategy for sport, Sport Matters, identifies a number of high level targets aimed at increasing participation rates in sport generally, including outdoor bowls. To help achieve these targets Sport NI has provided £80,760 in exchequer and lottery funding over the last three years to assist with the development of the sport and increase participation rates.

## Outdoor Bowls: Funding

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the financial assistance provided to the sport of bowls in each of the last three years.

**(AQW 22180/11-15)**

**Ms Ní Chuilín:** Sport NI, an arm's-length body of my Department with primary responsibility for funding to sport in the north of Ireland, provided total funding of £80,760 to the sport of bowls over the last three years, up to 31 March 2013.

Financial Year	Amount	Fund
2010/11	£25,760	Exchequer
2011/12	£55,000	Lottery

## NI Screen: DCAL Funding

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure what contributions her Department has made to NI Screen to help attract inward investment.

**(AQW 22181/11-15)**

**Ms Ní Chuilín:** DCAL is the sponsor department for NI Screen and funds NI Screen's educational and cultural activity which includes funding the Creative Learning Centres, film festivals, After School Film Clubs and skills development training.

NI Screen's skills development activity invests in creative talent through a number of initiatives which build the industry in the north of Ireland and ensure that indigenous talent acquires the necessary skills and expertise to not only create their own projects but also service the large scale productions which ultimately provide the inward investment opportunities.

DETI provides support for the film industry and inward investment through funding from Invest NI.

## Safety at Sports Grounds

**Mr Ross** asked the Minister of Culture, Arts and Leisure (i) to detail all designated (a) grounds; and (b) spectator stands; and (ii) whether temporary spectator seating requires designation under safety at sports grounds legislation.

**(AQW 22189/11-15)**

**Ms Ní Chuilín:** Details of all sports grounds designated by my Department under the Safety of Sports Grounds (NI) Order 2006 are already publicly available and set out in The Safety of Sports Grounds (Designation) (No.2) Order (NI) 2009. This can be viewed at the following website address:

<http://www.legislation.gov.uk/nisr/2009/295/contents/made>.

Neither spectator stands, nor temporary spectator seating, are subject to the direct designation process specified under the 2006 Order.

### Arts/Sports Projects: Upper Bann

**Mrs D Kelly** asked the Minister of Culture, Arts and Leisure to detail the (i) arts; and (ii) sports projects and organisations that have been supported by her Department in the Upper Bann constituency, in the last two years.

**(AQW 22194/11-15)**

**Ms Ní Chuilín:** In the last 2 years, from 1 April 2011, my Department has awarded to the Upper Bann constituency:

- (i) A total of £441,165 to 27 arts projects and organisations through the Arts Council NI; and
- (ii) A total of £742,929 to 10 sports projects and organisations through Sport NI.

Details of these awards are attached at Annex A.

#### Annex A

##### (i) Art Projects and Organisations

Organisation	Project Title	Award
All Set Cross Cultural Project	Annual Funding	£25,000.00
Armagh Rhymers Educational & Cultural Organisation	Annual Funding	£67,000.00
Millennium Court Arts Centre ( Portadown 2000 )	Annual Funding	£40,000.00
Ulster Youth Choir	Annual Funding	£20,100.00
Mobilizd	Formula Fun Game Design & Digital Asset Library	£6,200.00
Performa Sports Ltd	Performa Sports Desktop Application	£10,000.00
Donaghcloney Rural Needs Development Group	Continuation of arts programme	£28,570.00
Ann Donnelly	The Long Engagement	£4,981.00
Jimmy McAleavey	Attendance at Sibiu International Theatre Festival	£250.00
LISA CASTAGNER	A 6-8 part photographic project	£1,500.00
Miss Aoife Magee	Commission of a new viola f	£1,500.00
Mr Michael Hanna	Mistakes in Real Life on Purpose	£1,232.00
Ms Lisa Byrne	In Their Homes	£2,340.00
Carleton Over 50's Association	Arts for Everyone	£4,000.00
North Armagh Artists Collective	NAAC - Start UP	£5,000.00
Millennium Court Arts Centre ( Portadown 2000 )	Annual Funding	£40,000.00
The Armagh Rhymers Educational & Cultural Organisation	Annual Funding	£60,000.00
Ulster Youth Choir	Annual Funding	£46,012.00
Loughshore Care Partnership (LCP)	Lets Get Crafty	£12,015.00
Mobilizd	Formula Fun v1.0 for iPhone	£5,695.00
Donaghcloney Rural Needs Development Group	Ccontinuation of Arts Programme	£36,000.00
Downshire Guiding Star Flute Band	Musical Instruments for Bands 2012/13	£5,000.00
Paul McEneaney	The Genii Magic Gathering 2012	£300.00
Rachel O'Neill	Travel to New York	£300.00
All Set Cross Cultural Project	Maggie Pickens Connection	£8,670.00
Banbridge Musical Society	The purchase of a set of microphone headsets	£8,000.00
Drumgor Detached Youth Project	Building Bridges	£1,500.00

**(ii) Sports Projects and Organisations**

Organisation	Project Title	Award
Annagh United Football Club	Club Development through Community Cohesion Programme	£6,982
Banbridge Amateur Boxing Club	Equipment to host the Boxing Pre Games Training Camp	£10,000
Craigavon Borough Council	Active Communities (Year 3)	£292,963
Craigavon Borough Council	Active Communities (Year 4)	£308,174
Craigavon Intercultural Programme	Pathways to Sport – equipment, venue, hire and coaching	£7,560
Disability Sports NI	Disability Sports Development Officer Revenue Tail based in Craigavon	£30,000
Disability Sports NI	Disability Sports Development Officer Revenue Tail based in Craigavon	£30,000
GAA Handball Ireland	Charles Shanks	£8,000
Motorcycling Racing Association	Natalie Kane	£9,000
NI Archery Society	Mark Nesbitt	£9,000
Segway NI	Adventure Activities Accreditation	£750
Southern Sports Partnership	Skills Festival – Southern Sports Partnership	£12,500
Southern Sports Partnership	Talent Development Programme 2012-2013	£18,000

**Cricket: Funding**

**Mr Weir** asked the Minister of Culture, Arts and Leisure how much funding has been awarded to cricket in each of the last five years.

**(AQW 22248/11-15)**

**Ms Ní Chuilín:** Over the last five years Sport NI, an arms length body of my Department, has provided a total of £2,342,726 exchequer and lottery funding to assist with the development of Cricket in the north of Ireland. This is broken down as follows:

Year	Exchequer	Lottery	Grand Total
2008	£436,518	£24,000	£460,518
2009	£629,197	£61,000	£690,197
2010	£377,703	£83,983	£461,686
2011	£262,007	£99,543	£361,550
2012	£226,082	£142,693	£368,775
<b>Total</b>	<b>£1,931,507</b>	<b>£411,219</b>	<b>£2,342,726</b>

**Cricket: DCAL Support**

**Mr Weir** asked the Minister of Culture, Arts and Leisure what steps her Department is taking to afford greater support to the sport of cricket.

**(AQW 22249/11-15)**

**Ms Ní Chuilín:** My Department, through Sport NI, continues to support the governing body of cricket, Cricket Ireland, in its development of cricket throughout the north of Ireland. Within the last five years Sport NI has provided just over £2.3m exchequer and lottery funding in this regard. Further support from Sport NI to Cricket Ireland, will continue over the next 4 years, with over £700k lottery funding allocated to the sport through the PerformanceFocus programme. This will help cricket to continue improving systems of governance, coaching, club development, talent identification and development and the governing body's academy structure.

## Ulster-Scots Folk Orchestra

**Mr Allister** asked the Minister of Culture, Arts and Leisure why the Ulster Scots Agency has not answered correspondence from public representatives on the subject of the Ulster Scots Folk Orchestra.

**(AQW 22289/11-15)**

**Ms Ní Chuilín:** I understand that the Ulster-Scots Agency has now responded to you as the public representative and the representative of the Ulster-Scots Folk Orchestra. The response which was issued on 1 May 2013 includes an apology and explanation for not replying to this issue in a timely manner.

## Loans and Grants: North Down

**Mr Weir** asked the Minister of Culture, Arts and Leisure for a breakdown of (i) loans; and (ii) grants her Department, and its agencies, have awarded to organisations in North Down, in each of the last five years.

**(AQW 22291/11-15)**

**Ms Ní Chuilín:** I have assumed that as well as the Department and its agencies, you are also interested in the loans and grants awarded by my Arms Length Bodies.

It should be noted that the Department, its Agencies and its Arms Length Bodies do not provide loans to other organisations.

The total amount of grants awarded to organisations in the North Down constituency in the last five years is summarised in the tables below, divided between resource and capital:

	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Resource	216	355	243	183	84
Capital	381	968	2,000	5,017	6,217
<b>Total</b>	<b>597</b>	<b>1,323</b>	<b>2,243</b>	<b>5,200</b>	<b>6,309</b>

Detailed breakdowns by project are provided in **Annex A**

I should point out that if there was any doubt as to whether the North Down constituency benefited from the grant, then that grant was excluded from the answer. For example, if an organisation situated in the North Down constituency spent the funding further afield, it was excluded from the answer.

### Annex A

#### Resource - North Down Constituency

ALB/Branch	Organisation	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Languages	Digitisation of Raven Maps			11		
MAGUS/Languages	Ulster Scots Audio Tour (North Down & Ards Borough Councils)				14	
MAGUS/Languages	Mobile Application of the North Down & Ards audio driving trail (North Down & Ards Borough Councils)					21
NIMC	North Down Museum	1			1	3
Foras na Gaeilge	Féile Nasca/ Nasca Community Festival				1	
Sport NI	Bangor Swimming Club		1		3	
Sport NI	Crawfordsburn Scout Centre				1	
Sport NI	Lorne Training and Activity Centre				1	
Sport NI	NI Blind Golf	8				
Sport NI	Sport South East	8				
NI Events	ASPECTS IRISH LITERATURE FESTIVAL	5				
NI Events	North Down Borough Council	40				



ALB/Branch	Organisation	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
NI Events	Feile an Earragh Spring Festival 2010			15		
Community Festivals	Councils	19	4	4	4	10
Creative Industries	Creativity Month activities at National Museums NI			7		
Ulster Scots Agency	Ballygrainey Rural Development Association (456/14)			4	2	
Ulster Scots Agency	Ballylone Concert Flute Band		2	3	2	2
Ulster Scots Agency	Ballyrobert Drumming Club			4	2	
Ulster Scots Agency	Bangor District Educational & Historical Society		6			
Ulster Scots Agency	Cleland Memorial Pipe Band			2	2	1
Ulster Scots Agency	Conlig Rural Partnership for Cultural Development					
Ulster Scots Agency	Corbet Accordion Band			3		
Ulster Scots Agency	Flutes & Drums Donaghadee Musical Tuition Project			1		
Ulster Scots Agency	Hollywood Family Trust		2			
Ulster Scots Agency	Hollywood True Blues Flute Band				2	
Ulster Scots Agency	Kilcooley Community Action Group		1	3		
Ulster Scots Agency	Newtownards Melody Flute Band		2	2	2	2
Ulster Scots Agency	North Down Defenders Musical Development			1		
Ulster Scots Agency	Redburn Youth Group Robert Graham Memorial Flute Band		5	4		
Arts Council of Northern Ireland	Seacourt Print Workshop Limited	51	75	51	51	17
Arts Council of Northern Ireland	Soundlines	4				
Arts Council of Northern Ireland	The Intra-Community Cohesion Project	48				
Arts Council of Northern Ireland	Individuals	10	6	5	2	
Arts Council of Northern Ireland	Camerata Ireland	22	1	92	83	
Arts Council of Northern Ireland	David Dudgeon Studios		67			
Arts Council of Northern Ireland	Dumb Productions Ltd		49			
Arts Council of Northern Ireland	Eddie Doherty Goldsmiths		10			
Arts Council of Northern Ireland	Sonic Music Services Ltd		72			
Arts Council of Northern Ireland	Straandlooper Ltd		47			

ALB/Branch	Organisation	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Arts Council of Northern Ireland	Ballykeel Conservative Flute Band		5			
Arts Council of Northern Ireland	Straandlooper Ltd			26		
Arts Council of Northern Ireland	Millisle Youth Club			5		
Arts Council of Northern Ireland	Straandlooper Ltd				10	
Arts Council of Northern Ireland	Belfast Free Tours					9
Arts Council of Northern Ireland	Lost Number					10
Arts Council of Northern Ireland	Refound					9
		<b>216</b>	<b>355</b>	<b>243</b>	<b>183</b>	<b>84</b>

#### Capital - North Down Constituency

ALB/Branch	Organisation	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Sport NI	Ballyholme Yacht Club		12			
Sport NI	Bangor Lawn Tennis Club		10			
Sport NI	Bangor Swimming Club		8			
Sport NI	Donaghadee Golf Club		109			
Sport NI	NDBC (50m Pool)	381	829	2000	5017	6212
Arts Council of Northern Ireland	Somme Memorial Flute Band					5
		<b>381</b>	<b>968</b>	<b>2000</b>	<b>5017</b>	<b>6217</b>

#### Fishing: Unlicensed or Illegal Angling

**Lord Morrow** asked the Minister of Culture, Arts and Leisure how many people have been reported by her Department for matters connected to unlicensed and/or illegal angling and contravening Fisheries Regulations, broken down by area of detection, in each of the last five years.

**(AQW 22318/11-15)**

**Ms Ní Chuilín:**

YEAR	South Eastern Area	Lough Neagh	South Western	Northern
2008	37	55	1	15
2009	98	54	nil	28
2010	37	54	26	13
2011	36	61	14	17
2012	39	19	8	15

The areas referred to are DCAL Fisheries operational areas and the figures are the number of individuals taken to court for fisheries related offences.

## UK City of Culture 2013: Funding

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure how much funding her Department has allocated to the UK City of Culture 2013.

**(AQW 22371/11-15)**

**Ms Ní Chuilín:** My Department has allocated a total of £12.6m to the 2013 City of Culture (£6.5m for 2012/13 and £6.1m for 2013/14).

## Ulster-Scots Agency: Staff Qualifications

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail the formal qualifications of the staff in the Ulster Scots Agency who handle funding requests and applications.

**(AQW 22403/11-15)**

**Ms Ní Chuilín:** Staff in the Ulster-Scots Agency are recruited against agreed job descriptions and personnel specifications.

Personnel specifications establish appropriate levels of formal qualifications as well as appropriate levels of relevant experience required to undertake individual posts.

All post holders have gone through a transparent recruitment process which has required them to demonstrate that they have the necessary qualifications and experience for the roles that they undertake.

## Theatre: Bangor

**Mr Agnew** asked the Minister of Culture, Arts and Leisure to outline the discussions she has had with the Minister for Social Development in relation to the establishment of a theatre in Bangor, as part of the town centre regeneration plans.

**(AQW 22458/11-15)**

**Ms Ní Chuilín:** I have had no specific discussions with the Minister for Social Development in relation to the establishment of a theatre in Bangor.

## Derry/Londonderry City of Culture 2013

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure what plans his Department has to create an employment and training opportunities legacy following the Derry/Londonderry City of Culture 2013.

**(AQO 4010/11-15)**

**Ms Ní Chuilín:** The cultural programme for 2013, supported by my Department, includes a range of projects, events and interventions which will provide employment and training opportunities for the people of Derry and the surrounding area. The programme includes community based events like the Music Promise, which will deliver music lessons to every child in the City. The Spotlight on Communities project is providing grants to community groups in Neighbourhood Renewal Areas to develop their own cultural strategies and host events to tell their own stories, develop skills and showcase talent.

Digital hubs have been set up in the most deprived areas in the City - bringing the project right into the heart of the people and providing skills. 900 young people are accessing film-making skills and digital storytelling through the Digital Book of Kells project. The focus of some of these community based projects is to provide new opportunities to build skills which are in line with legacy objectives to develop the City into a world class digital hub.

I am committed to ensuring that my Department's investment in arts and culture promotes equality and tackles poverty and social exclusion – founded on the twin aims of excellence in achievement underpinned by equality in outcomes. As the City of Culture year progresses, DCAL officials are working closely with Derry City Council officials to ensure that it has in place a legacy plan which will deliver against these objectives. The creation of training and employment opportunities in the longer-term will be a key component of the plan.

The Department of Employment and Learning has advised that it is also playing an active role in supporting the One Plan's emphasis on skills and employment through its wide range of programmes and services in the city.

The aim remains to tackle deprivation and poverty in the City in part by attracting major businesses and investment in the City, but all within the vision and framework of a sustainable economic model.

## Sport: Financial Support for People with Disabilities

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the level of financial support provided by her Department to sports for people with disabilities, in each of the last three years.

**(AQW 24078/11-15)**

**Ms Ní Chuilín:** Over the last three financial years, my Department, through Sport NI, has provided £783,219 to sports organisations that specifically work with people with a disability including Disability Sports NI, RNIB, Special Olympics Ireland, Paralympics Ireland, Guide Dogs for the Blind and Headway Belfast.

In addition, during this time, almost £7.8m has been provided to mainstream sporting bodies, elements of which will have assisted in improving opportunities and access for people with disabilities.

### **Ravenhill: Redevelopment Funding**

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure how much of the £110m provided through the Regional Stadium funding package is for Ravenhill Stadium.

**(AQW 24159/11-15)**

**Ms Ní Chuilín:** Within the £110m stadium programme budget £14.6m has been approved for the redevelopment of Ravenhill Stadium.

In addition, DCAL is holding £0.867m of Optimism Bias for the redevelopment of Ravenhill.

The total funding package available for the redevelopment of Ravenhill is £15.5.

### **Windsor Park: European Funding**

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure whether the query over European funding relates only to improvements at Windsor Park or will the other two venues in the wider project be affected.

**(AQW 24200/11-15)**

**Ms Ní Chuilín:** As this matter is the subject of current legal proceedings, it is not appropriate to comment at this stage.

### **Stadia: Funding for Windsor Park, Ravenhill and Casement Park**

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure when she will be in a position to comment on the legality of the funding for improvements at (a) Windsor Park, (b) Ravenhill and (c) Casement Park; and whether she will allow contracts to be entered into should the funding be deemed legal.

**(AQW 24201/11-15)**

**Ms Ní Chuilín:** As this matter is the subject of current legal proceedings, it is not appropriate to comment at this stage.

### **Stadia: Funding for Windsor Park, Ravenhill and Casement Park**

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure to outline her departmental investigations in relation to the funding of improvements at (a) Windsor Park, (b) Ravenhill and (c) Casement Park; and will these investigations provide a preliminary or definitive view.

**(AQW 24202/11-15)**

**Ms Ní Chuilín:** As this matter is the subject of current legal proceedings, it is not appropriate to comment at this stage.

### **Stadia: Funding for Windsor Park, Ravenhill and Casement Park**

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure, in relation to the potential for the funding of the improvements at (a) Windsor (b) Ravenhill (c) Casement being classed as illegal state aid, for her assessment of whether departmental officials could have foreseen this and taken appropriate action at an earlier stage.

**(AQW 24203/11-15)**

**Ms Ní Chuilín:** As this matter is the subject of current legal proceedings, it is not appropriate to comment at this stage.

### **Lough Neagh Partnership**

**Mr Mitchel McLaughlin** asked the Minister of Culture, Arts and Leisure to outline her plans to provide further support to the Lough Neagh Partnership.

**(AQO 4342/11-15)**

**Ms Ní Chuilín:** My Department provided grant totalling £50k to the Lough Neagh Partnership over a two year period which ends on 31 March 2014 to undertake a number of projects that would contribute to the development of the Lough and the communities around it.

The Partnership was tasked to identify options and make recommendations for a management structure for the Lough which integrate operational and strategic activities and provide adequate representation for all stakeholders.

A report is due for completion by the end of June and will be considered by the Department in determining any future funding/support for the management of the Lough.

A feasibility study into the dredging of the mouths of the River Blackwater and the Upper Bann to improve the safety of boats and encourage increased boating traffic on these rivers has been completed. This is being assessed by my officials.

The Department agreed to the Partnership using £10k from the grant it received to bid for the EU Rural Development Programme's Lough Neagh Cooperation Project which has a total value of £119,500.

Further financial support will be dependent on the satisfactory evaluation of the current pilot and on the submission of new proposals for a work programme that aligns with, and meets DCAL's Corporate objectives.

Future programmes will need to demonstrate strong strategic partnerships which aim to improve community participation and involvement along with targeting social need through addressing poverty and social exclusion.

### **Ballymartin GAA Club**

**Mr Hazzard** asked the Minister of Culture, Arts and Leisure to outline what developments, if any, have occurred regarding Ballymartin GAA Club since she visited it.

**(AQO 4339/11-15)**

**Ms Ní Chuilín:** I visited Ballymartin GAA club on 23 January 2013 when I saw, at first hand, the poor condition of the club's facilities. Since May 2012, and as a result of redevelopment work at their home ground, the Club has been using temporary playing facilities in Killeel which have been provided by Newry & Mourne District Council. This is proving a difficult arrangement with officials and players, some as young as 5-6 years of age, being subjected to sectarian abuse.

Ballymartin GAC is one of a number of organisations with an application pending under Sport NI's 'Sport Matters: Community Capital Programme'. The application is to upgrade one of their home pitches and install new floodlighting.

My Department has made a bid, under the June Monitoring Round, for additional funding for this programme that will allow Sport NI to progress a number of projects, including Ballymartin GAC. Sport NI is currently taking these projects forward in anticipation of securing the necessary funding.

### **World Police and Fire Games 2013**

**Mr McDevitt** asked the Minister of Culture, Arts and Leisure for her assessment of the preparations for the World Police and Fire Games 2013, to date.

**(AQO 4341/11-15)**

**Ms Ní Chuilín:** There has been significant progress in the preparation for the 2013 World Police and Fire Games and this is set to continue as we move towards the Games in August.

Following the outcome of the bracketing process the Company have confirmed that there will be 56 sports offered during the Games and it is estimated that over 7,000 athletes will compete. As of 11 June 2013, the total number of athletes who have registered for the Games is 5,815.

The Volunteer Programme is ongoing and 3,600 volunteers have now been matched to roles. Furthermore, the Company has exceeded the target of £1.4m for sponsorship, with a total amount of £1.6m secured.

All of the sporting and ceremony venues for the Games have been confirmed and the World Police and Fire Games Schools Pack was launched in October 2012 which provides teachers with a comprehensive set of education resources to inform children and young people about the Games and get them involved in the event throughout 2013.

The Company has developed a Social Benefit Strategy and Legacy Plan to ensure the social inclusivity of the Games and appointed three charity partners as part of this Plan.

I am looking forward to the World Police and Fire Games which represent a tremendous opportunity to demonstrate that we are capable of hosting international events here while showcasing the island of Ireland as a fantastic place to visit.

### **Library: Killeel**

**Mr Wells** asked the Minister of Culture, Arts and Leisure for an update on the construction of a new library for Killeel, County Down.

**(AQO 4343/11-15)**

**Ms Ní Chuilín:** The project to build a replacement library in Killeel commenced in March 2013. The initial construction phase is due to last for 9 months, ending in November 2013.

This project is currently on target. The necessary demolition and site clearance has been completed and the process of erecting the steel superstructure is underway.

The library's furniture, stock and other equipment is to be installed during December and January with the new library being opened to the public in February 2014.

The local community will benefit from this £935k project. They will have a larger modern building which will offer a greater range of library services.

These services include a wider range of stock and other resources, dedicated adult and children's facilities, a community meeting space and increased learning opportunities.

## Windsor Park: Development Update

**Mr Givan** asked the Minister of Culture, Arts and Leisure for an update on the development of Windsor Park Football Stadium. (AQO 4344/11-15)

**Ms Ní Chuilín:** The Windsor Park Football Stadium project is currently on programme.

Key achievements to date include:

- Planning Approved received in February 2013.
- Invitation to Tender for the construction contract has been released (completed tenders due to be returned 24 June 2013).

Key planned activities for the coming months include:

- Appointment of the contractor in August 2013.
- Commencement of construction work in September 2013.

It is anticipated that construction work will be completed by June 2015 subject to satisfactory site conditions and avoidance of any significant procurement or legal challenges.

## UK City of Culture 2013

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure for an update on the Derry/Londonderry City of Culture 2013. (AQO 4345/11-15)

**Ms Ní Chuilín:** We are now half way through the City of Culture year, with the cultural programme under way and delivering very successful events. Some highlights so far are the Sons and Daughters Opening Concert, RTE's Other Voices, the Highland Dance Festival and the Radio One Big Weekend. We also recently enjoyed the spectacular Return of Colmcille celebration which attracted thousands of people to the City during the two day event.

A wide range of community projects and programmes are also being delivered successfully including: What's the Big Idea, Spotlight on Communities, the Music Promise and Teaching Divided Histories.

The programme continues to receive positive media coverage with feedback from local people demonstrating that the City is enjoying a more positive outlook and renewed confidence.

We remain focused on ensuring that the benefits of City of Culture are delivered through the development of strategic, detailed and sustainable legacy plans. My department is supporting Derry City Council to develop a legacy plan to build on the momentum of 2013 and ensure that the targets to 2020 are achieved.

## iPad Pilot Scheme

**Mr G Kelly** asked the Minister of Culture, Arts and Leisure to outline the ipads pilot scheme in the Lower Falls, Belfast. (AQO 4346/11-15)

**Ms Ní Chuilín:** With investment from my Department, the West Belfast Partnership Board will develop a mobile iPad platform and community learning resource which will be used by schools and other groups.

In its initial stage the pilot project will focus on primary schools and other organisations in the Lower Falls area to introduce digital and mobile technologies to formal and informal education and learning.

The project will support numeracy and literacy initiatives in these schools as well as other possible initiatives in health, after school revision classes, life-long learning and cross-community work. Overall, it will help young people in the Lower Falls area to realise their potential and provide a possible template for innovative approaches to tackling social exclusion.

## Department of Education

### Inspections: Nursery, Primary and Post-primary Schools

**Lord Morrow** asked the Minister of Education, in each of the last five years, how many inspections have been carried out in (i) nursery; (ii) primary; and (iii) post-primary schools in each education sector, broken down by Education and Library Board. (AQW 23847/11-15)

**Mr O'Dowd (The Minister of Education):** The tables below outline the number of inspections which have been carried out in (i) nursery; (ii) primary; and (iii) post-primary schools in each education sector broken down by Education and Library Board for the period 2007/08 to 2011/12. Please note that the figures are based on academic years.

Phase	Management Type	Academic Year 2007/2008				
		BELB	WELB	NEELB	SEELB	SELB
Nursery	Controlled	1	2	1	1	0
	Voluntary	0	0	0	0	0
	Catholic Maintained	0	0	1	0	0
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	2	0	0	1	1
	Voluntary Pre-School	6	7	15	10	17
Primary	Controlled	2	8	6	6	6
	Voluntary Preps	0	0	0	0	0
	Catholic Maintained	4	14	6	5	12
	Other Maintained	1	0	0	1	1
	Controlled Integrated	1	0	1	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Post-Primary	Controlled	2	0	1	0	2
	Voluntary Grammar	1	2	4	1	1
	Catholic Maintained	1	3	2	2	1
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	1	1	1	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Special	Controlled	1	1	2	1	2
	Voluntary	0	0	0	0	0
	Catholic Maintained	0	0	0	0	0
	Other Maintained	0	0	1	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0

Phase	Management Type	Academic Year 2008/2009				
		BELB	WELB	NEELB	SEELB	SELB
Nursery	Controlled	2	0	1	1	3
	Voluntary	0	0	0	0	0
	Catholic Maintained	2	0	0	0	1
	Other Maintained	0	0	0	0	0

Phase	Management Type	Academic Year 2008/2009				
		BELB	WELB	NEELB	SEELB	SELB
Nursery	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	5	13	8	8	12
Primary	Controlled	2	3	13	7	8
	Voluntary Preps	0	0	0	0	0
	Catholic Maintained	4	12	4	5	9
	Other Maintained	1	1	0	0	0
	Controlled Integrated	0	0	1	0	0
	Grant Maintained Integrated	0	2	0	0	1
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Post-Primary	Controlled	1	0	3	2	2
	Voluntary Grammar	1	1	0	2	0
	Catholic Maintained	2	1	0	0	4
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	2	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Special	Controlled	3	1	0	0	2
	Voluntary	0	0	0	0	0
	Catholic Maintained	0	0	0	0	0
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0

Phase	Management Type.	Academic Year 2009/2010				
		BELB	WELB	NEELB	SEELB	SELB
Nursery	Controlled	3	3	4	1	1
	Voluntary	0	0	0	0	0
	Catholic Maintained	2	0	1	4	2
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	1	2
	Voluntary Pre-School	3	6	9	8	10



Phase	Management Type.	Academic Year 2009/2010				
		BELB	WELB	NEELB	SEELB	SELB
Primary	Controlled	3	7	20	5	13
	Voluntary Preps	1	0	0	0	0
	Catholic Maintained	3	4	8	7	21
	Other Maintained	1	1	0	0	1
	Controlled Integrated	1	0	1	0	0
	Grant Maintained Integrated	1	1	1	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Post-Primary	Controlled	1	3	4	1	1
	Voluntary Grammar	3	2	2	2	2
	Catholic Maintained	3	4	2	1	2
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	1	0	1
	Grant Maintained Integrated	0	0	0	1	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Special	Controlled	2	1	2	1	1
	Voluntary	0	0	0	0	0
	Catholic Maintained	1	0	0	0	0
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0

Phase	Management Type.	Academic Year 2010/2011				
		BELB	WELB	NEELB	SEELB	SELB
Nursery	Controlled	1	2	0	2	1
	Voluntary	0	0	0	0	0
	Catholic Maintained	4	0	0	1	1
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	1	1	1	0	4
	Voluntary Pre-School	3	12	8	7	11
Primary	Controlled	8	7	14	7	6
	Voluntary Preps	4	0	0	1	0
	Catholic Maintained	4	16	5	5	9
	Other Maintained	1	0	1	0	1

Phase	Management Type.	Academic Year 2010/2011				
		BELB	WELB	NEELB	SEELB	SELB
Primary	Controlled Integrated	0	0	0	1	0
	Grant Maintained Integrated	1	1	0	3	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Post-Primary	Controlled	1	1	1	0	5
	Voluntary Grammar	2	2	1	1	1
	Catholic Maintained	0	1	3	2	5
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	1	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Special	Controlled	0	1	1	1	0
	Voluntary	0	0	0	0	0
	Catholic Maintained	0	0	0	0	0
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0

Phase	Management Type.	Academic Year 2011/2012				
		BELB	WELB	NEELB	SEELB	SELB
Nursery	Controlled	1	1	1	2	0
	Voluntary	0	0	0	0	0
	Catholic Maintained	1	0	0	0	1
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	1	0	1	0	1
	Voluntary Pre-School	3	7	20	6	13
Primary	Controlled	3	9	16	18	22
	Voluntary Preps	0	0	0	2	0
	Catholic Maintained	2	9	9	9	22
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	1	2	0
	Grant Maintained Integrated	0	0	1	1	1
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0

Phase	Management Type.	Academic Year 2011/2012				
		BELB	WELB	NEELB	SEELB	SELB
Post-Primary	Controlled	0	1	7	3	3
	Voluntary Grammar	0	0	1	0	2
	Catholic Maintained	2	4	1	2	0
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	1	0	0
	Grant Maintained Integrated	0	1	0	1	2
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0
Special	Controlled	2	0	1	2	0
	Voluntary	0	0	0	0	0
	Catholic Maintained	0	0	0	0	0
	Other Maintained	0	0	0	0	0
	Controlled Integrated	0	0	0	0	0
	Grant Maintained Integrated	0	0	0	0	0
	Private	0	0	0	0	0
	Voluntary Pre-School	0	0	0	0	0

### Craigavon: Controlled Junior High Schools

**Mrs Dobson** asked the Minister of Education whether the four Controlled Junior High Schools in Craigavon will be included within the departmental Delivering Social Change project; and to outline the educational basis for this project being directed at Key Stage 2 and Key Stage 4 pupils, given the difficulties associated with teaching pupils to read beyond Key Stage 3. (AQW 23873/11-15)

**Mr O'Dowd:** In October 2012 the First Minister and deputy First Minister announced the Delivering Social Change Signature Project on improving literacy and numeracy. An additional 230 recent graduate teachers who are not currently in work will be employed to deliver tuition, where appropriate, for children in primary and post primary schools who are currently struggling to achieve even basic educational standards. The objectives as stated are the

- Employment of 150 teachers not currently in employment, on a two-year fixed-term contract to deliver tuition, where appropriate, in English and Mathematics to Year 11 and 12 post-primary school pupils who are not likely without intervention to achieve a grade C in English and/or Mathematics.
- Employment of 80 teachers, not currently in employment, on a two-year fixed-term contract to deliver tuition, where appropriate, to primary school pupils who are not likely to be at the expected level in English and/or Mathematics at the end of Key Stage 2.

Consequently, the criteria for participation in the project were developed to achieve these stated objectives. The schools invited to participate in the Delivering Social Change Signature Project on improving literacy and numeracy (the Project) have been selected using criteria based on a combination of academic performance and Free School Meal Entitlement (FSME).

In the post-primary sector the methodology used was:

- 1 Schools where the percentage of pupils achieving GCSE English (Grades A\*-C) and/or GCSE Maths (Grades A\*-C) was an average of seventy percent or below, over a three-year period 2008/09 to 2010/11 inclusive and/or where the percentage of pupils achieving 5+ GCSEs (including English and Maths) Grades A\*-C was an average of seventy percent or below, over a three-year period 2009/10 to 2011/12 inclusive.
- 2 Using the above methodology, teachers will be allocated to eligible schools based on the school's enrolment and performance in GCSE English and/or GCSE Maths and 5+ GCSEs (including GCSE English and GCSE Maths).

Accordingly, the Junior High Schools do not meet any of the criteria for inclusion in this particular project; however, the Delivering Social Change Project is just one of the many projects that are being delivered by my Department over the next few years. The Area Learning Community (ALC) Strategic Development Fund project is being funded for three years and as these Junior High Schools are members of the Craigavon Area Learning Community they will be able to avail of extra tuition for the literacy and numeracy needs of Key Stage 3 pupils through this project.

## Preschool: Quality of Provision

**Mr Agnew** asked the Minister of Education whether his Department is aware of any research that indicates that pre-school provision of a poor quality is more detrimental to children than no pre-school provision.

**(AQW 23908/11-15)**

**Mr O'Dowd:** There is a range of evidence which demonstrates the positive impact of high quality pre-school provision on children's learning and development. The Effective Pre-School Provision NI (EPPNI) research (2006 and 2010) demonstrated the positive effects of high quality pre-school experiences on children's intellectual and social behavioural development and attainment levels in English and Mathematics during primary school. The 2010 research also highlighted the importance of children receiving high quality pre-school provision as low quality pre-school provision is not associated with the same positive effects of high quality provision.

As well as the research available, the Education and Training Inspectorate inspect all pre-school settings participating in the Pre-School Education Programme. The Chief Inspector's report 2010-12 reported that most children attending pre-school settings experience a good or better pre-school education which is crucial to their future education and well-being.

## Inspections: Grades Awarded to Schools

**Lord Morrow** asked the Minister of Education to detail the grades awarded by inspectors to schools in each Education and Library Board, in each of the last five years, broken down by (i) sector; and (ii) type.

**(AQW 23929/11-15)**

**Mr O'Dowd:** I have arranged for the information requested to be placed in the Assembly Library.

## Belmont House/Foyle View Special Schools: Merger

**Mr P Ramsey** asked the Minister of Education, given the plans to merge Belmont and Foyle View Special Schools, for an update of the status of £7.4 million that he pledged to Belmont House School, Derry.

**(AQW 23932/11-15)**

**Mr O'Dowd:** The Western Education and Library Board is currently undertaking a consultation on the Development Proposal for a new Controlled Special School which will provide for the special educational needs of pupils as currently provided by Belmont House School and Foyle View School.

The Development Proposal was published on 7 May 2013 and the consultation will be open for 2 months. Following this a submission will be made to me to allow a decision to be made on the scope and size of the new build project to be taken forward.

When there is clarity on the future provision, work can commence on the economic appraisal and design.

## Foley Primary School, Armagh: Irish-medium Playgroup

**Mr Allister** asked the Minister of Education, in light of the recent Pre-School Education Advisory Group determination that there was no unmet need for nursery places in the Armagh area, and in the context of refusing an additional nursery unit in a controlled school, to detail how an Irish Medium Unit has been approved in association with Foley Primary School.

**(AQW 23946/11-15)**

**Mr O'Dowd:** The Irish medium voluntary playgroup, Naíscóil Shliabh Fuait, is not currently funded for pre-school places under the Department's Pre-School Education Programme. Any request from the group to participate in the Programme would be considered by the Southern Education and Library Board's (SELB) Pre-School Education Advisory Group (PEAG) taking into account the level of funded Irish medium pre-school provision in the Armagh area at the time. It was agreed by the SELB to enter into a Licence Agreement to facilitate the establishment of an Irish medium playgroup at Foyle Primary School.

The playgroup is not part of the Pre-school Education Programme so no consideration was given by the SELB PEAG to its impact on existing provision within the Programme. The registration and regulation of voluntary playgroups are a matter for the Health and Social Care Trusts. There is no requirement for the management committee of such a group to undertake consultation prior to establishment.

The request from Naíscóil Shliabh Fuait to rent a surplus classroom and office in Foley Primary School was agreed by the school's Board of Governors in the first instance. The school and playgroup will operate under their own separate management arrangements.

The SELB has advised that the Board of Governors of Foley PS sought approval from the SELB on 18 December 2012. The Board advised the school on 28 January 2013 that, subject to the approval of the Department, it was possible to facilitate the Naíscóil's request by means of a Licence Agreement. The Department advised the SELB on 30 April that it had no objections to the Board's proposal to establish a Licence Agreement with the Governing Body of Naíscóil Shliabh Fuait to facilitate the use of a vacant classroom and office at Foley Primary School by the playgroup.

### **Foley Primary School, Armagh: Irish-medium Playgroup Unit**

**Mr Allister** asked the Minister of Education how it is compatible with the ethos and status of Foley Primary School, Armagh to approve an Irish Medium Play Group within this controlled school.

**(AQW 23947/11-15)**

**Mr O'Dowd:** The Irish medium voluntary playgroup, Naíscoil Shliabh Fuait, is not currently funded for pre-school places under the Department's Pre-School Education Programme. Any request from the group to participate in the Programme would be considered by the Southern Education and Library Board's (SELB) Pre-School Education Advisory Group (PEAG) taking into account the level of funded Irish medium pre-school provision in the Armagh area at the time. It was agreed by the SELB to enter into a Licence Agreement to facilitate the establishment of an Irish medium playgroup at Foyle Primary School.

The playgroup is not part of the Pre-school Education Programme so no consideration was given by the SELB PEAG to its impact on existing provision within the Programme. The registration and regulation of voluntary playgroups are a matter for the Health and Social Care Trusts. There is no requirement for the management committee of such a group to undertake consultation prior to establishment.

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### **Foley Primary School, Armagh: Irish-medium Playgroup**

**Mr Allister** asked the Minister of Education what consultation was conducted on the impact of nursery and play group provision elsewhere in Armagh before the decision to approve an Irish Medium Play Group in Foley Primary School was taken.

**(AQW 23948/11-15)**

**Mr O'Dowd:** The Irish medium voluntary playgroup, Naíscoil Shliabh Fuait, is not currently funded for pre-school places under the Department's Pre-School Education Programme. Any request from the group to participate in the Programme would be considered by the Southern Education and Library Board's (SELB) Pre-School Education Advisory Group (PEAG) taking into account the level of funded Irish medium pre-school provision in the Armagh area at the time. It was agreed by the SELB to enter into a Licence Agreement to facilitate the establishment of an Irish medium playgroup at Foyle Primary School.

The playgroup is not part of the Pre-school Education Programme so no consideration was given by the SELB PEAG to its impact on existing provision within the Programme. The registration and regulation of voluntary playgroups are a matter for the Health and Social Care Trusts. There is no requirement for the management committee of such a group to undertake consultation prior to establishment.

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### **Civil Service: DE Staff**

**Mr McKay** asked the Minister of Education to detail the number of people employed in (i) schools; and (ii) his Department's arm's-length bodies in each year since 2007, broken down by grade.

**(AQW 23996/11-15)**

**Mr O'Dowd:** I have arranged for the information requested to be placed in the Assembly Library.

### **Foley Primary School, Armagh: Irish-medium Playgroup**

**Mr Allister** asked the Minister of Education on what date (i) was approval sought from the Education and Library Board for an Irish Medium Play Group unit in Foley Primary School, Armagh; (ii) was approval granted by the Board; and (iii) was it approved by his Department.

**(AQW 23997/11-15)**

**Mr O'Dowd:** The Irish medium voluntary playgroup, Naíscoil Shliabh Fuait, is not currently funded for pre-school places under the Department's Pre-School Education Programme. Any request from the group to participate in the Programme would be

considered by the Southern Education and Library Board's (SELB) Pre-School Education Advisory Group (PEAG) taking into account the level of funded Irish medium pre-school provision in the Armagh area at the time. It was agreed by the SELB to enter into a Licence Agreement to facilitate the establishment of an Irish medium playgroup at Foyle Primary School.

The playgroup is not part of the Pre-school Education Programme so no consideration was given by the SELB PEAG to its impact on existing provision within the Programme. The registration and regulation of voluntary playgroups are a matter for the Health and Social Care Trusts. There is no requirement for the management committee of such a group to undertake consultation prior to establishment.

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### **Bleary Primary School: Compensation Payment**

**Mr D Bradley** asked the Minister of Education to detail the purpose of the £93,000 compensation payment recorded in the Annual Accounts of Bleary Primary School Annual Accounts for 2009/10.

**(AQW 24099/11-15)**

**Mr O'Dowd:** There is no specific reference to a compensation payment included in the 2009/10 Outturn Statement which the Southern Education and Library Board published in respect of Bleary Primary School. The Southern Education and Library Board has however confirmed that a £93,000 compensation payment is included in the Outturn Statement under the heading of "Other Non Staff Costs" as part of the analysis on non-delegated expenditure. I am unable to provide any further detail as, under the terms of the compensation settlement, there is a legally binding confidentiality clause that the employer, the Board and the employee shall not disclose, or cause, or permit to be disclosed, the terms of the agreement which are confidential.

### **Teacher Demand Model**

**Mr Ross** asked the Minister of Education whether the Teacher Demand Model for the forthcoming year will take into account the teachers who are registered with the General Teaching Council for Northern Ireland but are not registered with employment.

**(AQW 24125/11-15)**

**Mr O'Dowd:** The Teacher Demand Model provides a statistical estimate of overall initial teacher education intake requirements utilises a range of statistical assumptions based on data obtained from a number of sources, including data provided by the General Teaching Council here (GTCNI).

The GTCNI provides data on the employment position of recent graduates and this is used to provide an assumption on the potential number of recent graduates who may be successful in filling future vacancies.

However, it is important to note that not all teachers registered with the GTCNI are seeking permanent employment and that the GTCNI does not hold information on the number of teachers who are specifically seeking permanent employment.

The Teacher Demand Model together with a range of other statistical information is used to inform the annual process of determining intakes to initial teacher education. However, in reaching a final decision I also take into account wider policy considerations.

### **Teachers: Religious/Gender Breakdown**

**Mr Ross** asked the Minister of Education whether his Department can ascertain the religious and gender breakdowns of teachers who are registered with the General Teaching Council for Northern Ireland but who are not registered with employment.

**(AQW 24126/11-15)**

**Mr O'Dowd:** Information on the religious background of teachers is exempt from monitoring under Article 71 of the Fair Employment and Treatment (NI) Order 1998. This information is not therefore held.

At 11 June 2013 there were 27,186 teachers registered with the General Teaching Council (GTCNI), of which 19,417 were employed in a permanent or significant temporary capacity at the time of the last GTCNI data capture exercise, which fell between September and December 2012. However it should not be assumed that all those not in employment at that time were actively seeking work as a teacher. Furthermore, some may be employed in schools in a short-term temporary capacity or have secured employment since then.

Of the 7,769 registered teachers not in employment at that time, 6,009 were female and 1,760 were male.

The GTCNI publishes a Digest of Statistics on an annual basis and further detail on the gender make up of the teaching profession can be accessed at [www.gtcni.org.uk/publications/uploads/document/Digest\\_of\\_Statistics\\_2012.pdf](http://www.gtcni.org.uk/publications/uploads/document/Digest_of_Statistics_2012.pdf) At March 2012 almost 76% of teachers registered with the GTCNI were female.

### Teachers: Graduate Employment

**Mr Ross** asked the Minister of Education for his assessment of the value for money in the provision of teacher training and the needs of schools when 1408 graduates from Initial Teacher Training Colleges in Northern Ireland since 2005 have not registered with the General Teaching Council for Northern Ireland; and to outline the reasons for this wastage level.  
(AQW 24128/11-15)

**Mr O'Dowd:** Whilst I recognise that many graduates from initial teacher education find difficulty getting employment in the current climate, the same applies across many professions.

It is important to note that the figure for the number of graduates cited by the Member represents a snapshot of those graduates not registered at 31 March 2013. It does not reflect the fact that many of those 1408 unregistered graduates will have been registered at some point prior to when the General Teaching Council's survey was being conducted on 31 March 2013.

There will be many reasons why individuals do not register. They may, for example, choose to use their skills to find employment in other professions and therefore benefit the economy in the North. Others may move to register and work as teachers in other jurisdictions and some may move to work in other professions overseas.

It is, nonetheless, encouraging that since 2006, 4 out of every 5 graduates have registered with the General Teaching Council and of the teachers who graduated in that year, around 9 out of 10 are registered and in employment in either a permanent or significant temporary capacity (one term or more).

Teacher training in the North has been assessed by the Education and Training Inspectorate as being of a very high standard. I therefore consider that it represents good value in terms of the quality of its graduates. The issue of value for money in terms of the cost of initial teacher education is a matter for the Minister for Employment and Learning who has commissioned a review of initial teacher education provision.

The member will be aware that the Department has cut intakes to initial teacher education courses by nearly one third in recent years to address the perceived oversupply of teachers. However, if I was to cut intakes further, as some have suggested, there will be a point at which the Higher Education Institutions could become unviable and student teachers will travel elsewhere which could impact on our ability to train teachers locally.

### Consultants: DE Spend

**Mr Storey** asked the Minister of Education how much his Department has spent on consultants in relation to the Review of Public Administration, in each financial year since 2007/8.  
(AQW 24154/11-15)

**Mr O'Dowd:** Expenditure on external consultancy in relation to the Review of Public Administration in each financial year since 2007-08 as recorded in the Department's audited accounts is set out in the table below.

Year	£'000
2007/08	143
2008/09	162
2009/10	218
2010/11	15
2011/12	-

### Computer-based Assessments: Cost

**Mr Storey** asked the Minister of Education how much has been spent to date on implementing the new computer based assessment arrangements for schools.  
(AQW 24155/11-15)

**Mr O'Dowd:** The Council for the Curriculum Examinations and Assessment (CCEA) are contract holders with two suppliers for Computer-Based Assessment. NILA is provided by Tribal and NINA is supplied by Rising Stars.

CCEA has provided the following costs for implementing the two CBA assessments to date.

Contracts were let with the suppliers in November 2011. From this date to the end of March 2013 a total of £2,851.3k was spent on implementing the new computer-based assessment arrangements. This figure includes payments to suppliers and teacher release provided to schools to engage in training. It also includes CCEA staffing costs in terms of the proportion of time of existing baseline staff and project staff which was specifically allocated to this project.

The breakdown of costs is as follows:

Supplier Costs	1,295.3k		
Teacher Release Costs	830.5k		
Implementation Costs			
Venues, Print Resources	34.6k		
Baseline Staff / CBA team	451.5k		Note 1
Other Support Baseline Staff	239.4k		Note 2
	725.5k		
Overall Implementation Total	2,851.3k	(period Nov 2011 - Mar 2013)	Note 3

**Note 1**

Staff costs for CCEA project management, support for pre-trial, March 2012 trial with 200 schools/10,000 pupils, May QA, IM trial and QA, development of online & printed resources, principals' seminars, helpdesk provision

**Note 2**

Staff costs for CCEA in-house development & production of Moodle online training for more than 3,200 teachers, design of printed resources, implementation of evaluation strategy including online and hard copy questionnaires

**Note 3**

Actual expenditure relating to that period (Nov 2011 - Mar 2013)

### Payments: Non-teaching Staff

**Mr Storey** asked the Minister of Education for an update on the payment of £250 to all non-teaching staff earning less than £21,000 per annum.

**(AQW 24156/11-15)**

**Mr O'Dowd:** All eligible non teaching staff, with the exception of those staff in the Voluntary Grammar and Grant Maintained Integrated sectors, have received payment of £250 for both the 2010/11 and 2011/12 pay years.

In respect of VGS and GMI schools I took the decision to make funding available to enable payment of the £250 for eligible non teaching staff in these sectors.

There are 51 VGS and 38 GMI Schools. Under the Executive's Pay Policy, a pay remit is required for each staff group on differing terms and conditions in each school, with supporting business cases, including legal advice on contractual obligations. The schools were asked to provide this information to the Department by 31 May 2013 and officials are following up outstanding returns.

It will only be once this information is received and analysed that the Department will be clear as to the extent of pay remits required and the possible timeframe for completion of this exercise.

Once the necessary approvals are in place, funding will be made available to enable the schools to make the payment to qualifying staff.

### Spirit of Enniskillen Trust

**Mr Storey** asked the Minister of Education how he plans to continue with the work of the Spirit of Enniskillen Trust.

**(AQW 24157/11-15)**

**Mr O'Dowd:** The Spirit of Enniskillen Trust was a charitable organisation and has not been in receipt of any direct support from my Department since the previous community relations schemes were closed in 2010.

When the problems which resulted in closure first materialised, Department of Education officials engaged with the Trustees in an effort to identify possible solutions and to explore any alternatives to ensuring their work could continue. Unfortunately this was not possible.

However, the legacy of the Spirit of Enniskillen Trust will remain through the many young people whose lives were impacted by their involvement. I know that these young people will continue to influence their peers and to be active citizens in seeking to deliver the kind of shared future we wish to see.

The reconciliation work amongst young people which Spirit of Enniskillen engaged in will continue via other delivery approaches through my Department's Community Relations, Equality and Diversity in Education policy.



## Procurement: Ministerial Meetings

**Mr Storey** asked the Minister of Education, pursuant to AQW 22414/11-15, to detail the dates of the formal meetings with procurement staff since April 2012 to discuss the details of the report.

**(AQW 24158/11-15)**

**Mr O'Dowd:** There have been no formal meetings with procurement staff since April 2012 to discuss the report.

## Pupils: Non-attendance in South Antrim

**Mr Clarke** asked the Minister of Education how many children in South Antrim have been identified as not attending school, broken down by Education and Library Board.

**(AQW 24237/11-15)**

**Mr O'Dowd:** The information requested is detailed in the tables below and refers to 3 categories:

- 1 Children with low attendance levels i.e. <85% attendance
- 2 Children receiving their education other than at school
- 3 Children who are home schooled

### 1 Primary and post primary pupils living in the South Antrim constituency who had less than 85% attendance in 2011/12

School type	NEELB	SEELB
Primary	378	18
Post primary	674	25

### 2 Primary and post primary pupils living in the South Antrim constituency who are recorded as being educated off site but not in a school – 2011/12

School type	NEELB	SEELB
Primary	*	0
Post primary	15	0

#### Notes:

The figures are obtained from the annual school census and refer to pupils undertaking Key Stages 1-4 only.

The information is based on pupils living in the South Antrim area.

\*Refers to figures less than 5.

- 3 I have also been informed by the North Eastern Education and Library Board that they are aware of 16 children in the South Antrim area who are being home educated. South Eastern Education and Library Board are not aware of any children being home educated in the South Antrim area. It is important to note that parents can choose to home educate, however, there is no legal requirement for parents to advise their Education and Library Board or the Department of their decision.

## Welfare Reform: DE Impact

**Mr Copeland** asked the Minister of Education for his assessment of how Welfare Reform will impact on the aims and objectives of his Department.

**(AQW 24264/11-15)**

**Mr O'Dowd:** Subject to the progress of the Welfare Reform Bill through the Assembly, it is intended that Universal Credit (UC) will be introduced here, as part of the Welfare Reform Agenda, on a phased basis from April 2014. The introduction of UC, as currently planned, will impact on the delivery of two key passported benefits for which the Department of Education (DE) has responsibility: the provision of free school meals (FSM) and school uniform grants.

FSM and school uniform grants are key passported benefits which provide targeted support to families on low incomes. The provision of FSM and school uniform grants to children from lower income households are key measures through which DE seeks to improve access to and participation in education. They contribute to wider Departmental objectives to improve educational outcomes and lifetime opportunities for children and young people from the most deprived communities.

It is intended that UC will replace a number of existing social welfare benefits including five of the benefits currently used to determine eligibility for FSM and school uniform grants. These five benefits are the qualifying criteria for the majority of all claims for FSM so an amendment to the Department's eligibility criteria will be required to facilitate the proposed introduction of UC in April 2014.

Work is underway at present to identify options to determine future eligibility for FSM under UC and to assess the potential impacts of these options. I will be giving careful consideration to this analysis.

I have made clear that my priority in determining new eligibility criteria for FSM and school uniform grants is to ensure that these key passported benefits continue to provide the necessary support to those most in need.

### **Mental Health: School-based Initiatives**

**Mr Durkan** asked the Minister of Education whether there are any school based initiatives that promote awareness of mental ill health and signpost young people to support services.

**(AQW 24269/11-15)**

**Mr O'Dowd:** A school must address in its School Development Plan how it will promote the health and wellbeing, child protection, attendance, good behaviour and discipline of pupils'.

Schools are also required under The Education (Curriculum Minimum Content) Order (NI) 2007 to teach our young people about the importance of good mental health. At primary school this is delivered through Personal Development and Mutual Understanding and at post-primary school it is taught through Learning for Life and Work where all pupils should be provided with opportunities to understand the importance of recognising and managing factors that may influence emotional/mental health throughout life.

My Department's "i-Matter" programme is addressing how the entire school community should be engaged in promoting resilient emotional health for all pupils, what support systems are available for vulnerable pupils, and what support is available to schools in the event of a crisis. The programme is a vehicle to integrate individual policies and services in a consistent and coherent way. It benefits from the active involvement of other Departments, schools and of the voluntary sector through a series of working groups, each with a specific task.

The groups have developed a range of 'products' including a suite of homework diary inserts/posters on topics of concern to young people such as self esteem, substance abuse, relationships and outline sources of help for pupils.

An independent school based professional counselling service is accessible to young people of post-primary age in mainstream and special schools during difficult and vulnerable periods in their lives. As part of the current arrangements for support following a critical incident, pupils in primary schools have access to counselling support.

Education and Library Boards promote positive emotional health and well-being using a range of resources. Some schools are involved with issue-based class or group work around resilience, coping with stress, the transition from primary to post-primary school using evidenced-based programmes such as 'Bounce' and 'Mind Out'. Peer support, peer mentoring and school councils also assist with building positive emotional health and well-being of pupils.

### **Grammar Schools: Admissions on Appeal**

**Mr D Bradley** asked the Minister of Education how many pupils were admitted on appeal to each Grammar School in (i) 2010/11; (ii) 2011/12; and (iii) 2012/13.

**(AQW 24318/11-15)**

**Mr O'Dowd:** The number of pupils admitted on appeal to each Grammar School in 2010/11; 2011/12; and 2012/13 are as detailed in the table below.

#### **Belfast Education & Library Board**

<b>School</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>
Wellington College	1	1	
Royal Belfast Academical Institution	2		
Victoria College	1		
Acquinas Grammar School	1		1
Belfast Royal Academy		1	
St Dominics High School		1	1
Strathearn College		1	
Hunterhouse College			1

#### **Western Education & Library Board**

Mount Lourdes Grammar School	6		
St Michaels Grammar School	1	1	

Christian Brothers Grammar School	1	3	1
Foyle & Londonderry College	1		
Lumen Christi College	1	1	1
Loreto College			1

**North Eastern Education & Library Board**

Ballyclare High School	3		
Coleraine High School	1		1
Carrickfergus Grammar School	1		
Ballymena Academy	1		1
Dalriada	1		
Larne Grammar School	1	1	
Dominican College			
St Mary's Grammar School		4	2
Cambridge House Grammar School			1
St Louis Grammar School			3
Rainey Endowed Grammar School			2
Belfast High School			

**South Eastern Education & Library Board**

Glenlola Collegiate	1		
Bangor Grammar School	1	3	
Sullivan Upper	1		
Wallace High School	2		
Assumption Grammar School	1	2	
St Patrick's Grammar School	2	2	
Our Lady & St Patrick's College	1		1
Down High School		1	

**Southern Education & Library Board**

St Louis Grammar School			1
St Colman's College	2		5
St Joseph's Grammar School	1	1	2
Royal School, Armagh	2		1
St Patrick's Grammar School	4	3	1
St Patrick's Academy	1		
Banbridge Academy		1	5
Christian Brothers Abbey Grammar School		4	1
Sacred Heart Grammar School			3
<b>Total</b>	<b>42</b>	<b>31</b>	<b>36</b>

## Post-primary Schools: North Coast

**Mr Dallat** asked the Minister of Education to list the choice of post-primary schools available to pupils transferring from (i) St Colum's; (ii) Portstewart; (iii) Mill Strand Primary Schools; and to explain any variations in choice of post-primary options. (AQW 24351/11-15)

**Mr O'Dowd:** The North Eastern Education & Library Board has advised me as follows:-

The most common preferences for children transferring from (i) St Colum's Primary School and (ii) Portstewart are Dominican College, Loreto College, St Joseph's College (Coleraine), Coleraine Academical Institution, Coleraine High School and Dalriada School and from (iii) Mill Strand Integrated Primary School are Dominican College, Loreto College, St Joseph's College (Coleraine), Coleraine High School, Dunluce School, North Coast Integrated College and Dalriada School.

As parents of children transferring from primary schools are entitled to list preferences for any post primary school in any sector which they feel would be appropriate for the education of their child, it is not possible to explain the variations in choice of post-primary options without knowing the reasons behind each parent's decision to select each school in a particular order.

## School Transport: Rural Areas

**Mr Buchanan** asked the Minister of Education if pupils who attend a rural primary school move to a new home, which is closer to a different school, whether they are entitled to school transport to their original school to ensure that their education is not disrupted by having to change schools. (AQW 24376/11-15)

**Mr O'Dowd:** When a pupil moves to a new home, irrespective of whether they live in a rural or urban setting, Education and Library Boards will reassess their eligibility for assistance with transport from the location of their new home to the school they attend.

Where there is a suitable school, or schools, within statutory walking distance of the pupil's new home, but the parents wish to continue their child's education in the more distant school that they currently attend, then the pupil will only be eligible for assistance with transport if the parents have tried and been unable to secure a place for their child in all of those nearer suitable schools.

Boards will, however, make an exception for primary-age pupils in Years 6 or 7, or for post-primary-age pupils in Years 11 or 12. The purpose of the primary-age exception is to ensure that pupils should not have to change schools twice in two years, that is, primary-to-primary, followed by primary-to-post-primary. The purpose of the post-primary exception is to ensure that pupils do not have to change school in their important GCSE years. In these circumstances, a seat on a bus will only be provided only if there is a suitable service from the vicinity of the pupil's new home to the school. Otherwise, assistance may be provided in the form of a monetary allowance in lieu of transport.

## Education Welfare Officers

**Mrs D Kelly** asked the Minister of Education to detail the (i) number of Education and Welfare Officers; (ii) manager/supervisor ratio to Education and Welfare Officers; (iii) current caseload; and (iv) waiting list, in each Education and Library Board. (AQW 24390/11-15)

**Mr O'Dowd:** The Department does not routinely collect this information however the following information has been provided by each Education and Library Board.

ELB	No. of Education Welfare Officers	Senior EWO to EWO Ratio	Current Caseload	Waiting List
BELB	28	Mainstream Teams – 1:7 Project Team – 1:6 Looked After Children (LAC) Team(2) -1:3	1180	NIL (1)
SEELB	23	4 Mainstream Teams 1:6 1:6 1:5 1:5 LAC Team(2) -1:3	728	159
SELB	28	3 Mainstream Teams 1:10 1:10 1:8	879	30

ELB	No. of Education Welfare Officers	Senior EWO to EWO Ratio	Current Caseload	Waiting List
WELB	27	4 Mainstream Teams 1:9 1:7 1:6 1:5	772	66
NEELB	28 (25 FTE)	3 Mainstream Teams 1:7 1:6 1:9 LAC Team -1:6	Mainstream Team 35-40 per EWO LAC Team 13-25 per EWO	155

- (1) BELB does not operate a waiting list. All referrals are responded to with some form of intervention.
- (2) Joint BELB and SEELB Team.

## Department for Employment and Learning

### Apprenticeships: Sickness Guidelines

**Mr Frew** asked the Minister for Employment and Learning what plans are in place to change the guidelines for Programme Led Apprenticeships to ensure there is no discrimination against people who are sick whilst facilitating people who are serving a custodial sentence or are pregnant.

**(AQW 24024/11-15)**

**Dr Farry (The Minister for Employment and Learning):** My Department has no plans to change the guidelines for Programme Led Apprenticeships.

Policies in regard to young people who have been withdrawn from training due to sick absence, or who are serving a custodial sentence, or are pregnant, are in place to protect the balance of training time and ensure that participants can re-enter Programme-Led Apprenticeships following an enforced interruption or a period of prolonged sickness (even if they are over 18 years old).

Furthermore, any sickness absence related to a participant's disability and evidenced by the participant's GP is disregarded when aggregating a participant's sick record.

The Guidelines also state that suspected abuse of self-certification arrangements must be investigated and, if necessary, the disciplinary procedures as outlined in the Operational Guidelines may be invoked.

I am satisfied that my Department aims to ensure fair and inclusive delivery of all its programmes including Programme Led Apprenticeships.

### Education Maintenance Allowance: North Antrim

**Mr D McIlveen** asked the Minister for Employment and Learning how many pupils in North Antrim receive Education Maintenance Allowance.

**(AQW 24161/11-15)**

**Dr Farry:** I can advise the member the total number of Northern Ireland domiciled learners attending schools, colleges and FE Colleges in receipt of Education Maintenance Allowance in North Antrim for the academic year 2011/2012, the latest year for which complete data is available, was 1,272.

### Collaboration and Innovation Fund

**Mr McMullan** asked the Minister for Employment and Learning, in relation to the Collaboration and Innovation Fund, to detail the councils that (i) did not apply; and (ii) applied but were unsuccessful.

**(AQW 24176/11-15)**

**Dr Farry:** Derry City Council in partnership with Ilex URC Ltd was the only Council in Northern Ireland that applied for and was successful in receiving funding under the Collaboration and Innovation Fund.

### Youth Unemployment: Foyle

**Mr Durkan** asked the Minister for Employment and Learning to detail the number of 16-24 year olds in the Foyle constituency availing of the new Youth Unemployment Scheme.

**(AQW 24215/11-15)**

**Dr Farry:** The Youth Employment Scheme commenced in September 2012 and includes a range of measures to help unemployed young people aged 18 to 24 to gain experience, acquire new skills and find employment.

Since the introduction of the scheme a total 252 young people (aged 18-24) in the Foyle constituency area, serviced by Foyle and Lisnagelvin Jobs & Benefits offices, have availed of a placement under the Youth Employment Scheme. To date, 70 of those have obtained full time employment.

The focus of the Youth Employment Scheme is on early intervention for young people with the specific aim of helping this group gain work experience, develop additional skills and achieve recognised relevant qualifications needed by those sectors that have the potential for future growth. This scheme is specifically designed to help those young people claiming Jobseekers Allowance and who are almost job ready move into employment.

My Department is also actively working with employers to source as many opportunities as possible across Northern Ireland. I have been encouraged by the response of employers so far (more than 1,100 have signed up to the scheme, offering 2500 opportunities) and I expect many more to come forward to offer opportunities for young people in the coming months

I appreciate your interest in the Youth Employment Scheme and would ask you to encourage young people and employers to become involved.

### **Mel Davison Construction: Redundancy**

**Mr Flanagan** asked the Minister for Employment and Learning to outline the discussions he has had with employees from Mel Davison Construction and their trade union representatives on the loss of 150 jobs; and whether they will be treated in accordance with the law.

**(AQW 24435/11-15)**

**Dr Farry:** Officials from my Department contacted Mel Davison Construction on 18 June 2013 to offer our Redundancy Advice Service. This service includes help and advice on employment, education, training, re-skilling, job-search, and arranging for benefits advice from the Social Security Agency.

Whilst I cannot comment on the legal aspects of any individual employment disputes, I can assure you that any and all subsequent applications to the Department's NI Redundancy Payments Service will be processed as expeditiously as possible, and in compliance with the prevailing legislation, policy, and procedures.

## **Department of Enterprise, Trade and Investment**

### **Investment: South Down**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 22706/11-15, to detail (i) what are the challenges facing the South Down area in attracting investment; and (ii) how she is helping local stakeholders across South Down to overcome each challenge.

**(AQW 23703/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** To attract inward investment an area must be able to clearly demonstrate it can meet the investor's needs. A company will be attracted to where they see clusters of talent to be and/or where cost-competitiveness can be leveraged. Potential inward investors will typically look at an area in terms of existing investors in the same business sector (Invest NI's key inward investment target sectors being ICT, business services and financial services) and/or universities and colleges that offer courses relating to that particular sector. ICT skill sets, and the infrastructure to support business in that sector, are in high demand.

When engaging with a company on a potential investment project, Invest NI first demonstrates how Northern Ireland can meet the needs of that particular project. The requirements will vary depending on the nature of the project. Invest NI will then propose a visit plan based on requirements detailed by the investor.

Areas in which these desired features do not exist, or are not clearly presented, are unlikely to attract the attention of potential investors to visit or locate in the area. In addition, potential investors are often drawn to population centres that they consider will provide the appropriate number of suitably skilled potential employees. Therefore a clear understanding and evidence of skill demographics for any region would greatly assist a potential investor in considering a particular area.

This understanding and appreciation of each local area's key demographics and area attributes, including that of the South Down area, is achieved through direct engagement with interested parties. To that end Invest NI is working closely with both Down and Newry & Mourne Councils, and other stakeholders to develop a sales proposition to show the strengths and opportunities in their respective areas that will ultimately attract potential inward investors to visit, locate there and grow in the surrounding South Down area.

Invest NI has developed an 'FDI app' which will help present a snapshot of the benefits of setting up in Northern Ireland to potential investors. Both Down and Newry & Mourne Area Councils have indicated that they wish to be involved and Invest NI is working with them on this. As the South Down offering develops, both councils should reflect this by updating the 'FDI app' and continuing engagement with Invest NI's Southern Regional Office - located in Newry.

In addition, Invest NI continues to work with both councils and the South East Economic Development (SEED) group of councils on a range of initiatives for local businesses under the Local Economic Development Measure (LED). EU/Invest NI support in the South Down area under LED totals over £1.35million and contributes to developing the local business base in the area.

Continued engagement to develop South Down as a competitive destination, development of relevant skills and increased availability of sites ready for business investment all have the potential to improve South Down's visible proposition and place it in further contention to attract inward investment.

Ultimately however, the investor will make the decision as to where they locate based on their specific business needs and having considered the options available to them.

### **Tourism: Bilingual Signage**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline what the Northern Ireland Tourist Board finds confusing about bilingual signage as stated in the Board Minutes from January 2011.  
**(AQW 23713/11-15)**

**Mrs Foster:** The Board of NITB did not state that they found anything confusing about bilingual signage.

### **Jobs Fund: South Down**

**Mr Rogers** asked the Minister of Enterprise, Trade and Investment to detail the impact of the Jobs Fund on job creation in the South Down constituency.  
**(AQW 23910/11-15)**

**Mrs Foster:** Since the launch of the Jobs Fund in April 2011, a total of 12 businesses in South Down have received offers of support through the Jobs Fund for employment based investment projects which collectively have the potential to create a total of 70 new jobs, 43 of which have already been created.

The Jobs Fund has also provided support to 13 individuals resident in Neighbourhood Renewal Areas (NRA) to set up their own business through the NRA Business Start Grant, and to 11 young people (aged 16-24) Not in Education, Employment or Training (NEET) to set up their own business through the NEET Business Start grant.

The Jobs Fund work is ongoing and Invest NI will continue to actively promote its entire range of business solutions including the Jobs Fund through its ongoing engagement with businesses and stakeholders in South Down and right across Northern Ireland.

### **Broadband Service**

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 22746/11-15, when she will launch a new consultation.  
**(AQW 23943/11-15)**

**Mrs Foster:** Updated market information has become available which requires further consideration in line with the State Aid rules governing the process. Once we are satisfied that it complies with these rules as set down by the EU and is as accurate as possible it is my intention to arrange a further consultation and provide an opportunity for comment on the proposed intervention. This would be in accordance with State Aid rules.

### **Broadband**

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 22681/11-15, when she will publish the responses.  
**(AQW 23944/11-15)**

**Mrs Foster:** It is my intention to publish a document in the near future that will include detail of the responses received and to provide a final opportunity to help determine the area of intervention, in accordance with State Aid rules.

### **Wind Turbines: Health and Safety Regulations**

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment whether the location of existing or previous wind turbines have broken health and safety regulations.  
**(AQW 24035/11-15)**

**Mrs Foster:** The Health and Safety Executive for Northern Ireland (HSENI) is not aware of any instance where the location of existing or previously built wind turbines has broken health and safety regulations.

## Wind Turbines: Health and Safety Issues

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment what health and safety issues are considered when identifying sites for erecting wind turbines.

**(AQW 24037/11-15)**

**Mrs Foster:** All health and safety issues should be considered in the identification of sites for erecting wind turbines. If the proposed site is in the vicinity of a "major hazard" site, the Health and Safety Executive for Northern Ireland (HSENI) is consulted by Planning Service. HSENI would consider the risks (arising from the dangerous substances present on such sites) during the construction, operation and possible failure of the turbine, and provide advice on separation distances.

## Power NI: Tariff

**Mr Allister** asked the Minister of Enterprise, Trade and Investment (i) for her assessment of the extent to which Power NI's first year effect billing system, when dealing with tariff changes creates inequities for consumers; (ii) what engagement she has had with the Utility Regulator, Power NI and the Consumer Council on this issue; and (iii) for her assessment of the need for a change in regulation to bring Power NI in line with other electricity providers.

**(AQW 24064/11-15)**

**Mrs Foster:**

- (i) This is a matter for the Regulator, not my Department. However, I understand that the Utility Regulator considers that its approach to the first-year billing effect of Power NI's billing system delivers an equitable approach for all consumers, who always have the same billed tariff rate for the same number of quarters. In-year tariff changes do not compromise this principle.
- (ii) I have had no engagement with the Regulator, Power NI or Consumer Council on this issue.
- (iii) This is a matter for the Regulator, not my Department.

## Unanswered Questions: AQW 21913/11-15, AQW 21912/11-15, AQW 21911/11-15 and AQW 21910/11-15

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment why the AQWs 21913/11-15, 21912/11-15, 21911/11-15 and 21910/11-15 remain unanswered.

**(AQW 24068/11-15)**

**Mrs Foster:** These AQWs have remained unanswered because of the verification work required to ensure the completeness and accuracy of the information.

This exercise has now been completed and the information requested is being prepared.

## Revised Answers: AQW 21913/11-15, AQW 21912/11-15, AQW 21911/11-15 and AQW 21910/11-15

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment why the Executive Leadership Team have requested that changes be made to the figures in AQWs 21913/11-15, 21912/11-15, 21911/11-15 and 21910/11-15.

**(AQW 24090/11-15)**

**Mrs Foster:** These AQWs have not been answered as yet and therefore no changes have been made to the figures.

## Museum of Free Derry: Funding

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment for an update on the funding application for the Museum of Free Derry.

**(AQW 24112/11-15)**

**Mrs Foster:** The funding application for this project is under consideration.

## Electricity: Tariff/Price Controls

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment, in light of the increase in domestic electricity prices, what measures, including extra regulatory price controls, are being considered by her Department in relation to energy pricing.  
**(AQW 24129/11-15)**

**Mrs Foster:** My Department has no role in the regulation or setting of electricity prices. Tariff reviews and regulatory price controls are matters for the Regulator. I am of course concerned about recent announcements of price increases and the impact on all consumers, domestic and business. The Regulator reports that there are currently five active domestic electricity suppliers in the Northern Ireland market and consumers can switch supplier to avail of the best available tariffs.

I have also noted, with concern, the findings in the Regulator's Information Paper on prices paid by Industrial and Commercial consumers in Northern Ireland. On publication of the Paper I wrote to the Regulator to ask for additional analysis to examine regulatory and policy measures in other jurisdictions and the creation of a working group. While it is important for that work to



be given priority by the Regulator, it is equally important to allow time for it to be completed to understand the drivers of pricing and the implications that changes to policy decisions or regulatory actions might have across consumer groups.

### Investment: Visit Programme

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 23577/11-15, to detail how many meetings existing international investors have had with potential investors as part of a visit programme, in each of the last three years.

**(AQW 24217/11-15)**

**Mrs Foster:** Whilst Invest NI records the general Parliamentary Constituency/District Council Areas visited during inward investment visit programmes it does not maintain central records of the number and nature of specific meetings which potential inward investors choose to hold with existing international investors or individuals.

### Mobile Telephone Service: Glenariffe

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment, should the Glenariffe mobile phone mast not be selected as one of the 55 sites under the incoming Mobile Infrastructure Project scheme, will she guarantee that the present service will continue.

**(AQW 24219/11-15)**

**Mrs Foster:** The provision of a mobile telephone service in Glenariffe, as in any other area of Northern Ireland, is a commercial matter for the Mobile Network Operators. The Department of Culture, Media and Sport is responsible for delivering the Mobile Infrastructure Project and it has not yet made decisions about the number and locations of sites that may be selected for consideration under that project.

### Derry: Super-connected City

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment what her Department is doing to promote Derry's status as a super-connected city to potential investors.

**(AQW 24302/11-15)**

**Mrs Foster:** Invest NI is aware of the potential benefits that Londonderry's advanced telecommunications infrastructure provides to investors. The agency brought its international sales teams to the city for its annual International Conference at the start of May in order to learn more about the local proposition and to meet with existing investors.

Since the Conference there have been three investor visits to Londonderry by companies that could potentially benefit from the strength of the city's telecommunications infrastructure. While these potential investments are at an early stage, and the names of the companies involved are subsequently not disclosable, Invest NI will continue to pursue a number of opportunities to bring investment to Londonderry.

Londonderry's "super-connectivity" is just one feature of the proposition and there are many other factors that investors consider important. While Invest NI is unable to direct investment to any specific part of Northern Ireland, the agency will continue to engage with local stakeholders, including the Digital Derry project, in order to maximise the offering and sell Londonderry as a great place in which to invest.

## Department of the Environment

### Planning: Enforced Demolition

**Mr Wells** asked the Minister of the Environment how many buildings, which were erected without planning approval, were demolished by departmental staff, in each of the last five years.

**(AQW 22333/11-15)**

**Mr Attwood (The Minister of the Environment):** Under Article 74 of the Planning (NI) Order 1991 (as amended) the Department (or a person authorised in writing by the Department) can enter the land and take any steps required by the Enforcement Notice that are not taken within the period allowed for compliance. Under this Article the Department can also recover any expenses reasonably incurred by carrying out the required works.

This Article would permit Departmental staff to secure demolition of unauthorised buildings if the landowner did not comply with any Enforcement Notices served within the period allowed for compliance.

To date this Article has never been used and the Department relies upon compliance with enforcement proceedings to ensure that unauthorised buildings are demolished. If works are not carried out willingly and an enforcement notice is upheld, then a prosecution is brought forward where the person may be convicted and fined for failure to comply with an enforcement notice. Continued failure to comply may result in a further prosecution for a continuing offence.

This has been the situation, for example, in one case where fines to date have totalled £15k, £7k and £10k respectively, a total of £35k.

The Member will know that in a different matter, where a legal power was not previously deployed in NI, I did so. Similarly, in this matter. Officials have been directed by me, to take an article 74 application forward in relation to a particular case and, further, officials are preparing paper reviewing such cases across NI to be forwarded to me for clearance.

### Planning: Delayed Applications

**Mr Frew** asked the Minister of the Environment how many current planning applications have remained in the planning system for three or more years in the (i) Ballymena Borough Council; (ii) Ballymoney Borough Council; and (iii) Moyle District Council areas; and to detail the nature of each application.

**(AQW 22479/11-15)**

**Mr Attwood:** As of 31 March 2013 a total of 15 applications have remained in the system for three or more years in the Ballymena Borough Council, Ballymoney Borough Council and Moyle District Council Areas; 2 of which has since been withdrawn.

The breakdown of the remaining 13 applications is as follows:

- Ballymena Borough Council – 3 applications;
- Ballymoney Borough Council – 7 applications; and
- Moyle District Council – 3 applications.

Table 1 below sets out the details of these 13 planning applications.

**Table 1**

File Reference	Proposal	Current Position
<b>Ballymoney Borough Council</b>		
D/2009/0126/F	Infilling with construction waste to accommodate a park and share / ride	Information received under consideration
D/2008/0534/F	Extension to development proposal (Ref D/2007/0317/RM) incorporating redesign of existing layout to relocate proposed access and provide 13 additional dwellings. Scheme now totalling 34no. dwellings.	Approval decision to issue
D/2008/0460/F	Proposed housing development consisting of 24 semi-detached dwellings, amenity space and associated roads in accordance with 'Creating Places'	Department negotiating layout in line with outline approval.
D/2008/0093/F	Residential development of 50 No. townhouses, 6 No. semi-detached dwellings with associated parking and landscaping and amenity space.	Department in negotiations to agree acceptable layout.
D/2007/0382/F	Residential development of 24 dwellings (4 detached dwellings, 4 semi-detached dwellings, 7 townhouses and 9 apartments) including improvements to roadway in Oakfield Park.	Department in negotiations to agree acceptable layout
D/2007/0317/RM	Proposed brown field development to provide 31 residential units with associated access roads and car parking	Approval decision to issue
D/2006/0066/F	Redevelopment of former Tesco site to provide residential development consisting of 4 no. apartments, 16 no. townhouses and 24 no. semi-detached dwellings with associated roads, landscaping and amenity.	Finalising roads issues.
<b>Moyle District Council</b>		
E/2009/0316/F	Amendment to previous approved application Ref: E/2004/0433/F. Proposed reconfiguration of hotel building only, to provide 45 bedrooms, 29 suites, restaurant/bar and ancillary accommodation all contained within previously approved footprint and retention of 24 holiday chalets, associated access roads, parking and landscaping as previously approved.	Finalising Article 40 Agreement
E/2007/0037/F	Housing development, 7 dwellings (amended scheme)	Refusal Decision to issue
E/2006/0016/F	Retention of dwelling (No. 96) and refurbishment of traditional outbuildings to residential use with new sewerage treatment plant.	Approval Decision to issue

File Reference	Proposal	Current Position
<b>Ballymena Borough Council</b>		
G/2010/0191/F	Proposed demolition of existing dwelling house and re-development of site to provide 3 No. 1 Bed and 13 No. 2 bed apartments in 3 blocks and associated siteworks.	Application deferred by Council at meeting of 06/06/13. Part of the site in Flood Plain
G/2010/0082/F	Part demolition and extension of existing shopping centre (amended design).	Awaiting information in relation to roads issues
G/2009/0361/F	Construction of 13 townhouses and 13 apartments along with new road through the site and associated car parking (Amended Plans Received)	Awaiting contamination report from agent.

I have instructed officials to expedite the processing of these applications so that decisions on them, to approve or refuse, are issued as quickly as possible. I have also asked for an update at the end of July 2013.

In summary, of the 13 applications, 3 approvals to issue, one refusal to issue, one deferral of Council, 3 in regulations on layout, one article 40 agreement, one awaiting further information, two with road issues and one information being assessed.

### Dereliction Scheme: Council Bids

**Mrs D Kelly** asked the Minister of the Environment to list the councils which have bid for his Department's Dereliction Scheme; and to detail the projects and the amounts requested.

**(AQW 23766/11-15)**

**Mr Attwood:** The councils which made a bid for my Department's Dereliction Scheme, the amounts requested and details of the projects are set out in the attached table.

Council	Amount Requested £'000	Landscaping and Removal of Debris at Derelict Sites	Painting and Repair of Buildings	Installation/ or Repair of Fencing/ Railings	Installation of Hoarding and Graphics (e.g. information panels & street maps) at Derelict Property	Demolition of Derelict Buildings and Structures	Decorative Intervention on Derelict Buildings (e.g. Installation of Printed Building Wraps)
Antrim	110	✓		✓	✓		
Armagh	46	✓	✓	✓	✓		
Ballymena	403	✓	✓	✓	✓		✓
Ballymoney	100	✓	✓		✓		✓
Banbridge	82		✓	✓			✓
Belfast	500	✓	✓	✓	✓	✓	✓
Carrickfergus	164	✓	✓	✓	✓		✓
Castlereagh	48	✓		✓	✓		✓
Coleraine *	1,549	✓	✓	✓	✓	✓	✓
Cookstown	131	✓	✓	✓	✓		✓
Derry	503	✓	✓	✓	✓		✓
Down	31	✓	✓			✓	✓
Dungannon & South Tyrone	17	✓			✓		✓
Fermanagh	377	✓	✓	✓		✓	✓
Larne	301	✓	✓	✓	✓	✓	✓
Limavady	18	✓	✓	✓	✓		✓

Council	Amount Requested £'000	Landscaping and Removal of Debris at Derelict Sites	Painting and Repair of Buildings	Installation/ or Repair of Fencing/ Railings	Installation of Hoarding and Graphics (e.g. information panels & street maps) at Derelict Property	Demolition of Derelict Buildings and Structures	Decorative Intervention on Derelict Buildings (e.g. Installation of Printed Building Wraps)
Lisburn	159	✓	✓		✓		✓
Moyle	104	✓	✓	✓	✓		
Newry & Mourne	114	✓	✓	✓	✓	✓	✓
Newtownabbey	416	✓	✓	✓	✓	✓	✓
Omagh	200	✓	✓			✓	✓
Strabane	426	✓	✓		✓	✓	

\* Separate bids submitted in 2011/2012 (£379k) & 2012/2013 (£1,170)

### Wind Turbines/Wind Farms

**Mr McNarry** asked the Minister of the Environment if he plans to introduce measures to codify law in respect of wind turbines and wind farms, given that the existing guidelines on the assessment and rating of noise from wind farms, ETSU-R-97, may have been rendered out of date by technological development.

**(AQW 23823/11-15)**

**Mr Attwood:** The Department's Planning Policy Statement 18 'Renewable Energy' requires applications for wind energy development to demonstrate that they will not cause significant harm to the safety or amenity of any sensitive receptors (including future occupants of committed developments) arising from, inter alia, noise.

In common with the approach adopted in England, Wales and Scotland my Department recommends the use of the 'Assessment and Rating of Noise from Wind Farms' (ETSU-R-97) standard in the assessment and rating of noise from wind energy developments. This standard describes a methodology for the assessment and rating of noise from wind energy development.

At the direction of the Department of Energy and Climate Change in England, the ETSU-R-97 standard was recently the subject of a review by the Institute of Acoustics (IoA). Following the review the IoA published a Good Practice Guide aimed at ensuring the consistent application of the methodology.

I am unaware of any plans to amend or further review the ETSU-R-97 standard which I am satisfied provides a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development.

### Wind Turbines/Wind Farms: Noise Monitoring

**Mr McNarry** asked the Minister of the Environment if he will codify regulations in respect of noise monitoring of wind farms and wind turbines to ensure that noise monitoring is carried out by an accredited acoustician who is independent of the wind industry and approved by those affected by the noise impacts of wind turbines; and to detail if he will establish procedures to ensure that deliberate manipulation of turbine operation during resting to reduce wind turbine noise, cannot occur.

**(AQW 23824/11-15)**

**Mr Attwood:** The Department's Planning Policy Statement 18 'Renewable Energy' requires that applications for wind energy development demonstrate that they will not cause significant harm to the safety or amenity of any sensitive receptors (including future occupants of committed developments) arising from, inter alia, noise.

In common with the approach adopted in England, Wales and Scotland my Department recommends the use of the 'Assessment and Rating of Noise from Wind Farms' (ETSU-R-97) standard in the assessment and rating of noise from wind energy developments.

In assessing the likely noise impacts from a wind energy proposal my Department will be guided by advice from the appropriate Council EHO as it is they who have the relevant expertise and experience in this area. They will also advise whether noise monitoring data and/or noise impact assessments, submitted to the Department by developers, have been carried out in accordance with the ETSU standard and relevant industry good practice and can therefore be relied upon for the purposes of determining a planning application.

## School Transport: Cross-border Operators

**Mr McCartney** asked the Minister of the Environment whether the issue of cross-border school transport has been resolved since his announcement of 14 June 2012.

**(AQW 23845/11-15)**

**Mr Attwood:** The issue of cross-border operators delivering school transport in NI remains active work by my Department. My Department continues to engage with the Department for Transport and the European Commission to bring clarity to the rules which apply to operators from Ireland who provide services such as Education and Library Board home to school transport wholly within Northern Ireland.

EC Regulation 1073/2009 sets out the rules which apply to the carriage of passengers between, through and within Member States (MS), with cabotage being the carriage of passengers within a MS by a carrier who is established in a different MS. Regulation 1073/2009 further stipulates that cabotage operations should be carried out on a temporary basis. In bringing forward this legislation the Commission provided no definitive guidance on what constitutes "temporary". This has made interpretation and policy development in this area complex.

Given the lack of clear advice, from the Commission, around the temporary nature of cabotage operations, I and DOE have been engaging with the Department for Transport (DfT) and the Commission to bring certainty to the appropriate interpretation of EU Regulation 1073/2009.

Since June 2011, when I first became aware of the difficulties faced by NI operators particularly in the North West, my Department has been actively seeking to bring certainty to what has proven to be a complex legal issue. In June 2012, having received comprehensive solicitor's and Senior Counsel advice, it was concluded that Department of Education home to school contracts, because of their regularity and duration, were not temporary and could, therefore, only be delivered by NI licensed operators. As a result the Irish operators who held such contracts were required to obtain NI operator licences. Currently the home to school transport contracts are being delivered by NI licensed operators.

In parallel with this decision, I sought Commission advice on whether home to school transport contracts could be delivered in compliance with cabotage rules. Subsequent Commission advice indicated that contracts generally, and home to school transports particularly, could be delivered as cabotage services. My Department has adapted its policy to take account of this advice. However, in recognition of the impact of this on NI operators my officials have continued to engage with the Commission and DfT with a view to finalising a cabotage policy which takes account of Commission advice whilst having regard to the needs of the NI bus industry. Departmental officials, accompanied by members of the NI bus industry, met Commission officials in Brussels at the end of April and had an extensive and valuable exchange on the cabotage issue, and this is an important input into our cabotage policy.

It is my intention, subject to DfT consideration of what would be a UK wide policy, to bring the matter to a conclusion by publishing further final policy advice and guidance within the next few weeks. This issue does not appear to have been addressed and tackled – that's why I intervened and continue to intervene to secure the full and final outcome which is needed, not least given the interests of North West operators.

## Planning Service: Departmental Economists

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 18791 11-15, how many times in 2012 the Planning Service made use of the services of departmental economists.

**(AQW 23866/11-15)**

**Mr Attwood:** In processing applications for planning permission, DOE Planning regularly consults with other authorities or bodies likely to have an interest in, and observations to make in respect of proposed development. The expert advice of consultees plays a key part of the development management process.

Departmental economists may be consulted on a range of applications such as investment and regeneration projects that are dependent on grant aid or on economically significant planning applications.

The Department consulted with Departmental economists on 5 separate planning applications during 2012.

## Bonfires: Burning Tyres

**Mr Dallat** asked the Minister of the Environment what steps he will take to end the practice of using tyres as a source of fuel for bonfires; and what advice he has given to local councils to ensure the end of this practice.

**(AQW 23872/11-15)**

**Mr Attwood:** Beyond advice and enforcement action there is a need for those who construct or plan bonfires to show responsibility, respect the environment and avoid harmful emissions.

Increasing people's awareness of the harm that burning tyres cause can help in stopping this practice. I will seek opportunities to emphasise that by burning tyres, bonfire builders are forcing bystanders, local residents and indeed themselves to breathe in potentially cancer-causing chemicals. I will also encourage community groups to work with their local Councils and use alternative forms of celebration where they are available, such as the beacons that are being used in a number of locations. To press home the point I am writing to councils, political parties, the Orange Order and MLA's to urge that all use the influence they have around this issue.

Obtaining a prosecution against tyre dumpers depends on there being sufficient evidence (photographs, video footage or details of vehicle registrations) and witness statements that can be presented in court. My Department will continue to seek and use evidence of this nature to take legal action against businesses who use this route to get rid of waste at the expense of the community. I have stressed to Council and the NIEA the need to seek to escalate this enforcement action.

### Dereliction Scheme: Funding

**Mr Weir** asked the Minister of the Environment to detail his plans, including timescales, for future tranches of funding through the Dereliction Scheme.

**(AQW 23878/11-15)**

**Mr Attwood:** The Dereliction Intervention Programme is a rolling programme which I will be bidding to maintain in the current financial year and beyond. As part of the June monitoring round I have bid for £1.5 million for the 2013/2014 programme of funding and until the outcome of the monitoring round is known timescales for this year's scheme cannot be agreed.

On 12 March 2013 I wrote to all councils who were unsuccessful and partially unsuccessful in the 2012/2013 Scheme advising that it is open to those councils to revise or adjust their bids should further funding become available.

I will also shortly be writing out to all 26 councils asking them to revise, adjust their bids or enter a new bid in preparation for further funding should it become available.

### Wind Turbines: Live Applications

**Mr Weir** asked the Minister of the Environment how many live applications for wind turbines are in the planning system, broken down by constituency.

**(AQW 23879/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

As of 30 April 2013 there were 736 planning applications for single and multiple wind turbines under consideration by the Department.

Table 1 below details the number of live applications for single and multiple wind turbines by parliamentary constituency area.

**Table 1**

Constituency	No. of apps
Belfast East	3
Belfast West	2
East Antrim	26
East Londonderry	59
Fermanagh and South Tyrone	83
Foyle	8
Lagan Valley	22
Mid Ulster	86
Newry and Armagh	57
North Antrim	82
South Antrim	37
South Down	50
Strangford	23
Upper Bann	6
West Tyrone	192
<b>Total</b>	<b>736</b>

Due to the significant interest in renewable energy applications a renewable energy report is now available on the planning website at <http://www.planningni.gov.uk/index/tools/about-statistics/renewable-energy.html> where you can view this detail of information.

## Wind Turbines: Successful Planning Applications

**Mr Weir** asked the Minister of the Environment to detail the number of successful planning applications for wind turbines in each of the last five years, broken down by constituency.

**(AQW 23880/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

In the last 5 years a total of 1273 applications have been granted planning permission, 514 of these in the last business year alone.

Table 1 below details the number of applications for single and multiple wind turbines decided in each of the last 5 years, indicating how many were approved and the approval rate.

**Table 1 - Applications decided<sup>1</sup> for Single and Multiple Wind Turbines from 2008/09 to 2012/13, by Constituency**

	2008/2009			2009/2010			2010/2011			2011/2012			2012/2013		
	Total Decided	Approved	% Approved	Total Decided	Approved	% Approved	Total Decided	Approved	% Approved	Total Decided	Approved	% Approved	Total Decided	Approved	% Approved
Belfast East	0	0	-	0	0	-	0	0	-	1	1	100.0%	1	1	100.0%
Belfast North	0	0	-	0	0	-	0	0	-	0	0	-	2	1	50.0%
Belfast South	0	0	-	1	1	100.0%	0	0	-	0	0	-	0	0	-
Belfast West	0	0	-	2	2	100.0%	0	0	-	2	2	100.0%	1	1	100.0%
East Antrim	12	11	91.7%	4	4	100.0%	2	2	100.0%	12	9	75.0%	24	22	91.7%
East Londonderry	19	19	100.0%	11	10	90.9%	5	4	80.0%	32	20	62.5%	64	51	79.7%
Fermanagh and South Tyrone	16	14	87.5%	13	9	69.2%	17	13	76.5%	43	32	74.4%	115	112	97.4%
Foyle	2	2	100.0%	2	2	100.0%	0	0	-	2	1	50.0%	7	5	71.4%
Lagan Valley	17	17	100.0%	8	7	87.5%	8	8	100.0%	2	1	50.0%	18	14	77.8%
Mid Ulster	9	5	55.6%	14	11	78.6%	16	13	81.3%	35	35	100.0%	79	71	89.9%
Newry and Armagh	33	33	100.0%	9	7	77.8%	8	4	50.0%	13	13	100.0%	48	42	87.5%
North Antrim	24	21	87.5%	14	13	92.9%	17	17	100.0%	47	41	87.2%	55	52	94.5%
North Down	2	2	100.0%	3	3	100.0%	1	1	100.0%	3	2	66.7%	2	1	50.0%
South Antrim	13	13	100.0%	13	12	92.3%	8	7	87.5%	23	21	91.3%	11	6	54.5%
South Down	54	49	90.7%	14	10	71.4%	15	12	80.0%	19	15	78.9%	41	29	70.7%
Strangford	21	21	100.0%	7	6	85.7%	4	2	50.0%	8	8	100.0%	16	14	87.5%
Upper Bann	7	6	85.7%	3	3	100.0%	3	2	66.7%	8	7	87.5%	4	3	75.0%
West Tyrone	21	21	100.0%	20	16	80.0%	54	45	83.3%	92	71	77.2%	106	89	84.0%
<b>Total</b>	<b>250</b>	<b>234</b>	<b>93.6%</b>	<b>138</b>	<b>116</b>	<b>84.1%</b>	<b>158</b>	<b>130</b>	<b>82.3%</b>	<b>342</b>	<b>279</b>	<b>81.6%</b>	<b>594</b>	<b>514</b>	<b>86.5%</b>

**Notes:**

- 1 Decided applications may not have been received in the same time period. Therefore direct comparisons between the figures cannot be made. Applications decided do not include withdrawn applications.

The increased number of decisions issued and approval rate of 86.5% in 2012/13 compared with the previous three years demonstrates the Department's commitment to supporting the economy and a sustainable environment through renewable energy sources.

**Area Plans: DOE Concerns**

**Mr McNarry** asked the Minister of the Environment whether he plans to raise any concerns with the Minister of Education on the proposals to close some rural primary schools, following the public consultation on draft area plans for primary provision which ended on 1 June 2013.

**(AQW 23954/11-15)**

**Mr Attwood:** Clearly, I will have a personal view on the consultation. My role as Minister is to fulfil my statutory functions, where the DENI consultation does not appear to have a particular impact. In the future, with devolution of planning powers to Councils – particularly Development Plans and community planning – Councils may have a particular view on educational provision.

**Hydroelectric Scheme: Roe Valley**

**Mr Ó hOisín** asked the Minister of the Environment to detail the current status of the proposed hydro-electric scheme at Roe Valley Country Park.

**(AQW 23968/11-15)**

**Mr Attwood:** The Roe Valley Hydroelectric scheme to restore industrial heritage and generate renewable power was proposed with two construction phases. The first phase largely consisted of civil engineering works to prevent flooding. This phase is complete.

The second phase for the purchase, installation and commissioning of the turbine is subject to a bid for additional capital funding. The tenders for this final phase were higher than the projected market price which is why an additional capital funding bid is required. However, a review of the Economic Appraisal has clearly shown that the scheme remains viable and will pay-back the investment in full over the next 20 years against an expected lifetime of 50 years.

My Department supports the projected environmental and economic benefits associated with the proposed Hydroelectric scheme and I remain keen that this scheme is completed to off-set 50% of NIEA's electricity needs and as a practical demonstration of the low impact of well designed and managed schemes.

**Buildings: Demolition Applications**

**Lord Morrow** asked the Minister of the Environment whether he intends to amend Environmental Impact Assessment regulations to comply with the Court of Justice of the European Union decision in Case c-50/09 – (Commission v Ireland); and when he will order this amendment.

**(AQW 23971/11-15)**

**Mr Attwood:** The decision in Case c-50/09 – (Commission v Ireland) and a related UK Court of Appeal judgment in *SAVE Britain's Heritage v Secretary of State for Communities and Local Government and Lancaster City Council*, which concluded that demolition works come within the scope of the EIA Directive, were implemented in September 2012 by an amendment to the Department's Direction on Demolition and Development and to the Planning (General Development) Order (NI) 1993 ("the GDO").

The changes to the Department's Direction brought the demolition of all buildings with some minor exceptions under planning control. To ensure that the planning system was not overburdened with unnecessary planning applications for the demolition of relatively insignificant buildings the Department also introduced permitted development rights for the demolition of buildings. However, by virtue of an earlier amendment to the GDO made by the Planning (Environmental Impact Assessment) Regulations (NI) 1999 these were only granted up to the point where demolition reached the EIA threshold so that permitted development rights would not be granted where the proposal required environmental scrutiny under the EIA Regulations.

**Planning: Applications in the Derry City Council Area**

**Mr P Ramsey** asked the Minister of the Environment for an update on major planning applications in the Derry City Council area.

**(AQO 4229/11-15)**

**Mr Attwood:** Decisions have been made on four of the major retailing applications in Derry. One application, for an Asda food store, has been approved at the Crescent Link Retail Park. Three applications were refused. Two applications on the Buncrana Road/Templemore Road for Tesco (A/2004/0976/F and A/2009/0212/F) are now to be the subjects of a conjoined Public Inquiry to be held in November 2013. The other application at Drumahoe, A/2009/0689/O, is also now the subject of a Public Inquiry and the PAC will hold the hearing at the end of August 2013.



There are 5 major retailing applications which are currently being processed by the Department, one of which (the Niche Drinks Factory site) is being dealt with by the Area Planning Office in Orchard House. Consultation responses remain outstanding for this application.

The other four applications are being dealt with by the Strategic Planning Division in Belfast. The applicants have submitted additional information under their own volition and have consequently extended the processing of these applications.

I previously clarified my views on the two applications at Crescent Link when I announced that I would consider a large retail store at this location to be unacceptable. However the Notice of Opinion for the food store has not yet been issued, to allow the applicant time to consider a revised mixed-use proposal for the sites.

Re-advertisement, re-neighbour notification and consultation procedures are currently ongoing for the McCormick site on the Buncrana Road, due to the recent receipt of further environmental information. The final proposal at the Caw roundabout has still outstanding issues to resolve in relation to the Roads Service requirements but the applicants are also considering an amendment to the proposed development.

I would wish to bring all the applications within my control, to a conclusion quickly. I believe it would be helpful to create certainty. However, with applicants submitting further information – as they are entitled to do – this extends the time for decisions. As I have attempted to demonstrate with Article 31 decisions, I am keen to bring applications to the point of decision. Applicants should work with DOE on doing so.

The Northern Area Planning Office is also dealing with approximately 120 applications that are classed as major proposals. The majority of the applications relate to residential developments including social housing proposals. Other significant applications include the redevelopment of Fort George and mixed use proposals throughout the City.

## Wind Turbines: Planning Applications

**Mrs Overend** asked the Minister of the Environment to detail the total number of planning applications for wind turbines and farms, including the number of turbines proposed in each case, in the (i) Magherafelt; (ii) Cookstown; and (iii) Dungannon district council areas, in each of the last five years; and the number that were (a) approved; and (b) rejected.

**(AQW 24034/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

In the last 5 years, 351 applications for wind turbines and wind farms were received across the Magherafelt, Cookstown and Dungannon Council areas. For the same period and areas, a total of 186 such applications were approved with 26 refused.

Table 1 below details the number of applications for wind turbines and wind farms received, decided and approved in the last 5 years.

The increased number of decisions issued and approval rate of 91.8% in 2012/13 compared with the previous five years demonstrates the Departments commitment to supporting the economy and a sustainable environment through renewable energy sources.

**Table 1: The number of single wind turbine and wind farm applications received<sup>1</sup> and decided<sup>2</sup> between 2008/09 and 2012/13, in Cookstown, Dungannon and Magherafelt**

		2008/2009				
		Received <sup>1</sup>	Total Decided <sup>2</sup>	Approved	Refused	% Approved
Single wind turbine	Cookstown	2	3	1	2	33.3%
	Dungannon	9	5	5	0	100.0%
	Magherafelt	5	4	2	2	50.0%
	<b>Total</b>	<b>16</b>	<b>12</b>	<b>8</b>	<b>4</b>	<b>66.7%</b>
Wind farm	Cookstown	1	0	0	0	-
	Dungannon	3	1	0	1	0.0%
	Magherafelt	1	0	0	0	-
	<b>Total</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0.0%</b>
Total	Cookstown	3	3	1	2	33.3%
	Dungannon	12	6	5	1	83.3%
	Magherafelt	6	4	2	2	50.0%
	<b>Total</b>	<b>21</b>	<b>13</b>	<b>8</b>	<b>5</b>	<b>61.5%</b>

		2009/2010				
		Received <sup>1</sup>	Total Decided <sup>2</sup>	Approved	Refused	% Approved
Single wind turbine	Cookstown	5	3	3	0	100.0%
	Dungannon	4	4	3	1	75.0%
	Magherafelt	13	9	8	1	88.9%
	<b>Total</b>	<b>22</b>	<b>16</b>	<b>14</b>	<b>2</b>	<b>87.5%</b>
Wind farm	Cookstown	0	1	0	1	0.0%
	Dungannon	2	1	1	0	100.0%
	Magherafelt	1	0	0	0	-
	<b>Total</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>50.0%</b>
Total	Cookstown	5	4	3	1	75.0%
	Dungannon	6	5	4	1	80.0%
	Magherafelt	14	9	8	1	88.9%
	<b>Total</b>	<b>25</b>	<b>18</b>	<b>15</b>	<b>3</b>	<b>83.3%</b>

		2010/2011				
		Received <sup>1</sup>	Total Decided <sup>2</sup>	Approved	Refused	% Approved
Single wind turbine	Cookstown	37	2	2	0	100.0%
	Dungannon	33	10	9	1	90.0%
	Magherafelt	25	8	5	3	62.5%
	<b>Total</b>	<b>95</b>	<b>20</b>	<b>16</b>	<b>4</b>	<b>80.0%</b>
Wind farm	Cookstown	1	0	0	0	-
	Dungannon	0	1	1	0	100.0%
	Magherafelt	1	1	1	0	100.0%
	<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>100.0%</b>
Total	Cookstown	38	2	2	0	100.0%
	Dungannon	33	11	10	1	90.9%
	Magherafelt	26	9	6	3	66.7%
	<b>Total</b>	<b>97</b>	<b>22</b>	<b>18</b>	<b>4</b>	<b>81.8%</b>

		2011/2012				
		Received <sup>1</sup>	Total Decided <sup>2</sup>	Approved	Refused	% Approved
Single wind turbine	Cookstown	31	13	13	0	100.0%
	Dungannon	36	20	15	5	75.0%
	Magherafelt	30	13	13	0	100.0%
	<b>Total</b>	<b>97</b>	<b>46</b>	<b>41</b>	<b>5</b>	<b>89.1%</b>
Wind farm	Cookstown	1	0	0	0	-
	Dungannon	0	2	2	0	100.0%
	Magherafelt	0	1	1	0	100.0%
	<b>Total</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>100.0%</b>

		2011/2012				
		Received <sup>1</sup>	Total Decided <sup>2</sup>	Approved	Refused	% Approved
Total	Cookstown	32	13	13	0	100.0%
	Dungannon	36	22	17	5	77.3%
	Magherafelt	30	14	14	0	100.0%
	<b>Total</b>	<b>98</b>	<b>49</b>	<b>44</b>	<b>5</b>	<b>89.8%</b>

		2012/2013				
		Received <sup>1</sup>	Total Decided <sup>2</sup>	Approved	Refused	% Approved
Single wind turbine	Cookstown	36	40	37	3	92.5%
	Dungannon	45	42	41	1	97.6%
	Magherafelt	29	24	20	4	83.3%
	<b>Total</b>	<b>110</b>	<b>106</b>	<b>98</b>	<b>8</b>	<b>92.5%</b>
Wind farm	Cookstown	0	2	2	0	100.0%
	Dungannon	0	1	0	1	0.0%
	Magherafelt	0	1	1	0	100.0%
	<b>Total</b>	<b>0</b>	<b>4</b>	<b>3</b>	<b>1</b>	<b>75.0%</b>
Total	Cookstown	36	42	39	3	92.9%
	Dungannon	45	43	41	2	95.3%
	Magherafelt	29	25	21	4	84.0%
	<b>Total</b>	<b>110</b>	<b>110</b>	<b>101</b>	<b>9</b>	<b>91.8%</b>

**Notes:**

- 1 All applications received in the period may not have had a decision issued within the same time period. Applications received may also include some applications that are subsequently withdrawn.
- 2 Decided applications may not have been received in the same time period. Therefore direct comparisons between the figures can not be made. Applications decided do not include withdrawn applications.

**Wind Turbines: Planning Policy**

**Mrs Overend** asked the Minister of the Environment when the requirements for granting planning permission for the erection of wind turbines were last updated in his Department's planning policy; and whether they are being reviewed in advance of the creation of a Single Planning Policy Statement.

**(AQW 24036/11-15)**

**Mr Attwood:** Planning policy in relation to wind energy is contained in Planning Policy Statement (PPS) 18 'Renewable Energy', which was published in final form in August 2009.

The Department is committed to preparation of a single Strategic Planning Policy Statement (SPPS) in time for the transfer of Planning powers to local councils. The purpose of the SPPS is to provide a comprehensive consolidation of policy, including a review of some elements where necessary. The intention is that a draft SPPS will be published for public consultation by the end of the year.

Research and information is published on an ongoing basis on issues related to wind farms and wind turbines. I however, am and remain satisfied with the content of the planning policy PPS18.

**Wind Turbines: Gaelectric Applications**

**Mr Wells** asked the Minister of the Environment (i) how many applications for wind turbines have been submitted by Gaelectric in each of the last five years; and (ii) how many of these applications (a) were approved; and (b) are pending a decision.

**(AQW 24038/11-15)**

**Mr Attwood:** The Department welcomes the contribution that renewable projects make to the reduction of carbon emissions and acknowledges the importance of processing these applications in a consistent and timely manner.

In the last 5 years three applications have been received by the Department from Gaelectric for wind turbines. Two were received in the 2008/09 business year and one was received in 2011/12.

All three applications have been approved and there are no current applications for wind turbines that have been submitted by Gaelectric that are pending a decision.

### Organ Donation: Driving Licence Declarations

**Mr Ross** asked the Minister of the Environment how many forms for (i) new driving licences; (ii) replacement driving licences; and (iii) duplicate driving licences have been returned to the Driver and Vehicle Agency, in each of the last ten years; and on how many occasions did applicants indicate on their form that they wished to be an organ donor.

**(AQW 24061/11-15)**

**Mr Attwood:** Whilst the Driver & Vehicle Agency facilitates those applying for driving licences registering their willingness to donate organs, since this data is not required for the processing of driving licence applications, under data processing rules, no record of this data is retained by the Agency. The details relating to applicants making a declaration in favour of organ donation is transmitted directly to the NHS Organ Donation and Transplantation Directorate.

The Organ Donation and Transplantation Directorate of NHS Blood and Transplant publish annual figures for the number of people on the Organ Donor Register for NI, but the figures do not include the source of registration. The figures show an increase in registration from 440,123 in 2008/09 to 550,629 in 2012/13, an increase of around 25%.

Table 1 below details the driver licensing transaction volumes in the categories requested for each of the last 10 years.

**Table 1 Driving Licence Transaction Volumes 2003/04 to 2012/13**

Year	Ordinary Licence Transactions <sup>1</sup>			Vocational Transaction Licences <sup>1</sup>		
	Provisional Driving Licences	Full Driving Licences	Replace-ment/ Duplicate Driving Licences	Provisional Driving Licences	Full Driving Licences	Replace-ment/ Duplicate Driving Licences
2012/13	24,692	92,614	53,080	1,749	8,592	3,569
2011/12	24,981	89,872	49,763	2,056	9,040	3,454
2010/11	27,228	87,516	49,672	2,240	6,461	3,553
2009/10	28,216	87,448	48,364	2,219	5,920	3,578
2008/09	29,550	107,618	45,667	2,212	6,571	3,895
2007/08	32,004	169,5823	41,999	2,806	6,496	4,247
2006/072	29,620	173,4793	42,671	1,380	6,004	4,229
2005/062	29,014	178,9603	41,439	2,791	4,517	3,645
2004/052	25,561	77,144	38,748	2,363	4,853	2,145
2003/042	30,905	62,132	44,729	2,007	7,589	3,087

- 1 Figures for 2007/08 to 2012/13 are DOE Official Statistics from the DVA Compendium of Key Statistics for 2011/12 and 2012/13.
- 2 Figures sourced from DVA management systems and are not validated DOE/DVA Official Statistics.
- 3 The period of validity of a driving licence changed from three to ten years in 1985, which led to a three year peak renewal period each mid decade, which explains the increase in full licence figures during the three years from 2005/06 to 2007/08.

### Wind Farms: Health Issues

**Lord Morrow** asked the Minister of the Environment for his assessment of (i) the health issues raised in the Hanning/Evans article in the British Medical Journal on 10 March 2012; and (ii) the concerns raised at Westminster on behalf of GPs from Aberdeenshire who noted an increase in health issues which coincided with significant wind farm development in the area.

**(AQW 24104/11-15)**

**Mr Attwood:** Where matters of public health are raised in relation to a proposal for wind energy development; or where an assessment of scientific research in this area is sought, it is my Departments practice to consult with the Public Health Agency (PHA) which possesses the relevant expertise in this area.

The advice of the PHA is that, in general, provided established guidance and best practice in relation to placement of wind turbines and mitigation measures is undertaken, there is minimal to no risk to the health of the population associated with such facilities.

The PHA has previously advised by Department that the British Medical Journal article by Hanning/ Evans which you cite is an opinion piece, and although it does consider earlier research, it does not necessarily do so in a systematic manner. In light of this the PHA advise that it should not be regarded as evidence of new scientific research in this area.

In relation to the concerns presented to Westminster by Aberdeenshire GPs, I have asked officials to access this information, consider it and seek further advice from the PHA.

### By-laws: North Down

**Mrs Cochrane** asked the Minister of the Environment when her Department received, and will comment on, the new draft Pleasure Ground By-law proposals for the North Down Borough Council area.

**(AQO 4337/11-15)**

**Mr Attwood:** On 19 March 2010, the Department received an application from North Down Borough Council ("the Council") to revoke its 1995 bye-laws for Pleasure Grounds and to replace them with bye-laws for Pleasure Grounds, Public Walks and Open Spaces ("the proposed bye-laws").

A final version of the proposed bye-laws was received from the Council on 16 January 2013.

The Department considers that, subject to 3 minor amendments, the proposed bye-laws are suitable for confirmation.

Bye-laws do not take effect until confirmed by the Departments concerned. In this case, DCAL, having responsibility for one of the enabling powers under which the bye-laws are being made, will also be required to agree to confirm the bye-laws in addition to DOE.

The draft bye-laws were forwarded to DCAL and the Department awaits its formal response before it engages further with the Council on the proposed bye-laws.

## Department of Finance and Personnel

### Civil Service: Surplus Posts

**Mr Durkan** asked the Minister of Finance and Personnel to detail the (i) location; and (ii) number of surplus posts in the Northern Ireland Civil Service at (a) Administrative Assistant; (b) Administrative Officer; (c) Executive Officer II; (d) Executive Officer I; (e) Staff Officer; and (f) Deputy Principal grades, in each Government Department.

**(AQW 23325/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** The location and number of surplus posts in the Civil Service at (a) Administrative Assistant (AA); (b) Administrative Officer (AO); (c) Executive Officer II (EOII); (d) Executive Officer I (EOI); (e) Staff Officer (SO); and (f) Deputy Principal (DP) grades, in each Department at 21 May 2013 are set out in the table overleaf.

#### AQW 23325/11 - LOCATION & NUMBER OF SURPLUS POSTS IN THE NICS AT AO, EO2, EO1, SO & DP as at 21/05/13

	AA	Location	AO	Location	EOII	Location	EO1	Location	SO	Location	DP	Location
DARD	1	Enniskillen	0		0		0		0		0	
DCAL	0		0		0		0		0		1	Belfast
DE	0		0		0		0		0		0	
DEL	0		0		1	Belfast	0		0		0	
DETI	0		0		0		0		0		0	
DFP	0		1	Belfast	1	Belfast	1	Belfast	1	Belfast	1	Belfast
DHSSPS	1	Stormont	0		0		0		0		0	
DOE	0		0		0		0		0		0	
DOJ	0		0		0		0		0		0	
DRD	0		0		0		0		0		0	

	AA	Location	AO	Location	EOII	Location	EO1	Location	SO	Location	DP	Location
DSD	2	1 Ballynahinch	2	London-derry	0		0		0		0	
		1 Belfast										
OFMDFM	0		0		0		0		0		0	
PPS	0		0		0		0		0		0	
Total	4		3		2		1		1		2	

### Civil Service: Vacancies

**Mr Durkan** asked the Minister of Finance and Personnel to detail the (i) location; and (ii) number of vacant posts in the Northern Ireland Civil Service at (a) Administrative Assistant; (b) Administrative Officer; (c) Executive Officer II; (d) Executive Officer I; (e) Staff Officer; and (f) Deputy Principal grades, in each Government Department.

(AQW 23327/11-15)

**Mr Wilson:** The information requested is set out in the table attached.

### AQW 23327/11 - Location & Number of Vacant Posts in the NICS at AA, AO, EO2, EO1, SO & DP - 21/5/13

	AA	Location	AO	Location	EOII	Location	EO1	Location	SO	Location	DP	Location
DARD	2	1 Enniskillen	5	1 Cookstown	3	1 Dungannon	8.5	1 London-derry	11	1 Hydebank	16	Stormont
		1 Londonderry		1 Hydebank		1 Lisburn		0.5 Newry		10 Stormont		
				3 Stormont		1 Stormont		7 Stormont				
DCAL	0		1	Belfast	1	Belfast	0.5	Belfast	1	Belfast	3	Belfast
DE	0		0		4	1 Bangor	1	London-derry	12	Bangor	10.5	9.5 Bangor
						3 Londonderry				1 Londonderry		
*DEL	2	Belfast	18	1 Antrim	16.6	1 Ballymena	17.8	1 Antrim	7	Belfast	12	Belfast
				1 Armagh		8 Belfast		1 Armagh				
				9 Belfast		0.6 Carrickfergus		1 Banbridge				
				1 Cookstown		1 Cookstown		10.8 Belfast				
				1 Dungannon		1 Dungannon		1 Lisburn				
				2 Enniskillen		1 Newcastle		1 Lisnagelvin				
				1 Lisburn		1 Newtown-abbey		1 London-derry				
				1 Newry		2 Omagh		1 Newry				
				1 Strabane		1 Portadown						
DETI	0		1	Stormont	0		1	Belfast	5	1 Belfast	2	Stormont
								4 Stormont				
DFP	2	Belfast	28	1 Bangor	7	5 Belfast	14	13 Belfast	17	2 Bangor	7	1 Bangor
				27 Belfast		1 Londonderry		1 London-derry		12 Belfast		3 Belfast
						1 Omagh				3 Londonderry		3 Londonderry
DHSSPS	0		1.5	Stormont	4	Stormont	2	Stormont	2	Stormont	13	Stormont

	AA	Location	AO	Location	EOII	Location	EO1	Location	SO	Location	DP	Location
DOE	6	1 Belfast	29	1 Armagh	31.5	9 Belfast	3	Belfast	10	Belfast	5	Belfast
		4 Coleraine		7 Belfast		9 Coleraine						
		1 Lisburn		8 Coleraine		1 Downpatrick						
				1 Downpatrick		1 Londonderry						
				1.5 Enniskillen		10.5 Location To be Confirmed						
				10.5 Location To be Confirmed		1 Mobile**						
DOJ	3	2 Maghaberry	0.28	0.53 Ballymena	8.14	14.14 Belfast	9.57	4.57 Belfast	8	4 Belfast	8	4 Belfast
		1 Stormont		1 Banbridge		1 Hydebank		1 Londonderry		1 Newtownards		4 Stormont
				12.75 Belfast		3 Stormont		1 Omagh		3 Stormont		
				1 Carrickfergus				3 Stormont				
				1 Hydebank								
				2 Maghaberry								
				2 Stormont								
DRD	1	Ballymena	6	1 Belfast	1	Downpatrick	2	1 Belfast	4	3 Belfast	6	5 Belfast
				2 Enniskillen				1 Coleraine		1 Coleraine		1 Omagh
				1 Lisburn								
				1 Newtownards								
				1 Omagh								
DSD	28	22 Belfast	111	95 Belfast	41	26 Belfast	31	23 Belfast	36	Belfast	16	1 Banbridge
		1 Cookstown		12 Enniskillen		1 Enniskillen		8 Coleraine		14 Belfast		
		5 Londonderry		4 Newry		13 Londonderry				1 Omagh		
						1 Newtownards						
OFMDFM	0		0		0		0	2	Stormont	2	Stormont	
PPS	0		0		3	Belfast	0	3	Belfast	3	Belfast	
<b>Total</b>	<b>44</b>		<b>220.78</b>		<b>130.24</b>		<b>90.37</b>		<b>118</b>		<b>103.5</b>	
<b>Total Vacancies</b>						<b>706.89</b>						

#### Notes

\* DEL 13.8 of the vacancies listed (3 AO, 2 EO2, 3.8 EO1, 3 SO, and 2 DP) are currently on hold awaiting the outcome of staffing reviews

\*\* DOE Mobile – Based at home. Required to visit Scheduled Monuments across Northern Ireland.

#### Civil Service: Video-conferencing Facilities

Mr McGlone asked the Minister of Finance and Personnel (i) which Departments have Video Conferencing facilities; (ii) whether these facilities are room based systems for group conferencing or personal laptop systems; and (iii) how frequently these systems are used.

(AQW 23572/11-15)

**Mr Wilson:** All NICS departments have Video Conferencing facilities. There are both room based group conferencing facilities and desktop/laptop based Video Conferencing facilities.

Usage varies from Video Conferencing endpoint. Some are used daily, such as, the endpoints used by NI Direct in Orchard House and Causeway Exchange to others that are used on an ad hoc basis.

### **Civil Service: Video-conferencing Assessment**

**Mr McGlone** asked the Minister of Finance and Personnel what assessment has been conducted into Video Conferencing requirements within the Civil Service and arm's-length bodies.

**(AQW 23575/11-15)**

**Mr Wilson:** Each video conferencing unit purchased is subjected to the normal Departmental capital purchasing procedures which include writing a Business Case to gain approval for the purchase of a capital asset and subject to the normal Post Project Review/Evaluation processes and procedures in place within the Departments purchasing the unit.

Enterprise Design Authority, now part of Enterprise Shared Services, DFP completed a Video Conferencing Strategy for the NICS and a resulting business case for the provision of a centralised Video Conferencing Infrastructure that supports both internal Video Conferences across Network NI and external breakout to external video conferencing units. This is now an offered IT Assist service and is therefore also available to any arm's-length body that chooses to take IT Assist's services.

### **Electricity: Carbon Price Floor Exemption**

**Mr Agnew** asked the Minister of Finance and Personnel to detail the calculation used to predict that electricity bills would be 10-15 per cent lower following the exemption from the carbon price floor.

**(AQW 23608/11-15)**

**Mr Wilson:** This assessment is based on analysis contained in the Department of Energy and Climate Change (DECC) report, Estimated Impacts of Energy and Climate Change Policies on Energy Prices and Bills 2011.

DECC's most recent report in this regard was published in March 2013 and this suggests that the carbon price floor could increase the average electricity prices paid by large energy intensive users by up 26 per cent by 2030. Clearly such a large increase would have a devastating impact on such business users in Northern Ireland, affecting their competitiveness and future long term prospects.

### **Civil Service: Complete and Accurate Statements of Revenue**

**Mr McKay** asked the Minister of Finance and Personnel to outline the procedures which would be required to provide a set of complete and accurate statements of revenue.

**(AQW 23627/11-15)**

**Mr Wilson:** In line with its statutory responsibilities under the Government Resources and Accounts Act (Northern Ireland) 2001 (sections 9(2) and 11(2)), the Department of Finance and Personnel (DFP) issues annual accounts directions which direct the form and content of department and agency accounts.

For the current financial year, these directions can be found in the Dear Accounting Officer letter issued to Accounting Officers as DAO (DFP) 03/13.

The directions should be read along with other guidance issued by DFP in the form of Finance Director letters:

- FD (DFP) 01/13, which provides guidance on the latest version of the Treasury Government Financial Reporting Manual to be used;
- FD (DFP) 04/13, which provides guidance on the timetable for producing accounts and the procedures for accounts being audited; and
- FD (DFP) 07/13, FD (DFP) 08/13 and FD (DFP) 09/13, which provide guidance on the laying of accounts before the Assembly for departments, agencies and Non-Departmental Public Bodies (NDPBs) respectively.

These, along with other more detailed guidance, can be found at [http://www.dfpni.gov.uk/index/finance/afmd/afmd-finance/afmd-financial\\_reporting.htm](http://www.dfpni.gov.uk/index/finance/afmd/afmd-finance/afmd-financial_reporting.htm)

### **Going For Growth: Funding Bids**

**Mr Swann** asked the Minister of Finance and Personnel what requests or bids he has received from the Minister of Agriculture and Rural Development for the £400 million required for the Agri-Food Strategy Board's Going For Growth initiative.

**(AQW 23687/11-15)**

**Mr Wilson:** I have not received any bids or requests from the Minister of Agriculture and Rural Development for the £400 million required for the Agri-Food Strategy Board's Report "Going For Growth – Investing in Success".



## Civil Law Reform/Family Law

**Mr Allister** asked the Minister of Finance and Personnel whether responsibility for civil law reform of family law will be transferred to the Department of Justice.

(AQW 23999/11-15)

**Mr Wilson:** I refer the Member to my reply to Pat Ramsey on 8 July 2011(AQW 1300/11-15). It remains the position that I have no plans to propose transfer of my Department's civil law reform responsibility to the Department of Justice.

## Newry Canal: Business Case

**Mr Cree** asked the Minister of Finance and Personnel what is the current status of the business case for the Newry Canal Project. (AQW 24005/11-15)

**Mr Wilson:** My Department has not received a Business Case in relation to the Newry Canal Project. May I suggest that if further information is required on this proposal the Member contacts the Minister for Culture, Arts & Leisure as she has policy responsibility for this particular project.

## Roads: Landowner Compensation

**Mrs Overend** asked the Minister of Finance and Personnel to outline his position on a 10 percent top-up compensation for landowners who are required to release land for road construction projects similar to the policy in Great Britain; and for his assessment of the implementation of such a policy in the case of the A31 Magherafelt bypass scheme. (AQW 24043/11-15)

**Mr Wilson:** This issue has been considered before by my Department in relation to other major road schemes. The findings were that the differences between GB and Northern Ireland provisions are much less clear cut than the question would imply.

In Northern Ireland qualifying owner occupiers of dwellings vested by an acquiring authority are already entitled to an additional 10% in the form of a Home Loss Payment, subject to a minimum of £4,500 and maximum £45,000. Similarly, qualifying owner occupiers of agricultural property are entitled to an unlimited Farm Loss Payment based on loss of net profits where the entire farm is taken. These supplemental amounts are over and above market value based compensation and any loss based disturbance compensation which is due to claimants.

In view of these existing provisions I have no plans to introduce legislation in Northern Ireland to replicate the GB provisions for basic and occupier loss payments. In GB the basic and occupier loss payments together amount to 10% of the market value, if both elements are payable to the same qualifying claimant, and are subject to ceilings.

In any event it would not necessarily be a matter for my Department to bring forward any such primary legislative change, but would more appropriately fall to one of the main vesting Departments.

My colleague, the Minister for Regional Development, informs me the design of the Magherafelt Bypass is at an advanced stage. A Public Inquiry was held in 2009, and the Direction Order and Notice of Intention to Proceed were published during 2010. The Vesting Order, however, will only be made when funding is confirmed.

## Birth Rate: Northern Ireland/North Down

**Mr Weir** asked the Minister of Finance and Personnel to detail the birth rate in (i) Northern Ireland; and (ii) North Down, in each of the last five years.

(AQW 24087/11-15)

**Mr Wilson:** Table 1 overleaf shows the annual birth rate per 1,000 women aged 15-44 for Northern Ireland and North Down District Council area between 2007 and 2011.

Birth rates for 2012 will not be available until the release of 2012 population mid-year estimates at the end of June 2013.

**Table 1: Birth rates<sup>1</sup> in Northern Ireland and North Down District Council area, 2007-2011**

Registration Year	Northern Ireland Birth Rate <sup>1</sup>	North Down Birth Rate <sup>1</sup>
2007	64.3	61.1
2008	67.1	65.0
2009	65.3	62.0
2010	66.7	64.1
2011	67.0	66.9

<sup>1</sup> Number of births per 1,000 women aged 15-44

### Rate Relief: Dungannon SMEs

**Ms McGahan** asked the Minister of Finance and Personnel how many small and medium-sized enterprises in Dungannon have applied for the rate relief scheme for empty shops or vacant premises since its introduction.

**(AQW 24216/11-15)**

**Mr Wilson:** Since introduction of Empty Premises Relief on 1st April 2012, six applications have been received by Land & Property Services for the Dungannon and South Tyrone District Council Area. LPS does not record applications by size or by town limits.

As of 14th June 2013, two applications have met the qualifying criteria of the scheme.

### G8: Hosting Costs

**Mr Agnew** asked the Minister of Finance and Personnel for a breakdown of the cost of hosting the G8 Summit to the Northern Ireland public purse.

**(AQW 24225/11-15)**

**Mr Wilson:** The cost estimates for hosting the G8 summit are still evolving and negotiations continue on apportioning these costs.

At our recent meeting, the Chief Secretary to the Treasury confirmed that the vast majority of policing and security-related costs will be met by UK Government and not the Executive. As might be expected there will be some other costs associated with hosting the G8 event. I will update the Assembly on the G8 costs as part of my Statement on June Monitoring, once this has been endorsed by the Executive.

It is also important to recognise that this event will generate significant revenues for Northern Ireland and especially the Fermanagh region.

### Special Advisers: Tax/National Insurance

**Mr Allister** asked the Minister of Finance and Personnel, pursuant to AQO 4257/11-15, whether the eligibility of Special Advisers is based on their gross scale salary.

**(AQW 24241/11-15)**

**Mr Wilson:** I can confirm that tax and National Insurance contributions are deducted from the gross pay of all Special Advisers.

## Department of Health, Social Services and Public Safety

### Waiting List Initiative: Travel Expenses

**Mr Spratt** asked the Minister of Health, Social Services and Public Safety, in relation to the Waiting List Initiative on surgery or medical interventions which were performed outside Northern Ireland, whether it is departmental policy to award tenders on the basis of excluding travel and subsistence costs from the assessment process or is the entire cost to the tax payer is included.

**(AQW 23492/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Health and Social Care Board (HSCB) have created a Northern Ireland Independent Sector Tariff. Tariffs relate to assessment and treatment costs and do not include travel and subsistence.

### Waiting List Initiative: Inconvenience

**Mr Spratt** asked the Minister of Health, Social Services and Public Safety, in relation to the Waiting List Initiative on surgery or medical interventions which were performed outside Northern Ireland, what weight is placed on the inconvenience and risk to the patient in the award of tenders.

**(AQW 23493/11-15)**

**Mr Poots:** I have been advised that: the Northern Health and Social Care Trust has no providers outside of Northern Ireland under the waiting list initiative on surgery or medical interventions; the Belfast, South Eastern and Western Trusts take account of the provision of services that can be delivered locally; and, the Southern Trust gives consideration to qualitative requirements.

### Medical Negligence Cases: Settlement

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety (i) how many medical negligence cases brought against his Department have been settled in the last three years; (ii) how many have been settled through the courts; and (iii) how many were settled by a non-legal arbitration route.

**(AQW 23833/11-15)**

**Mr Poots:**

- (i) It is assumed that this question refers to cases of clinical/social care negligence made against the Department which were settled in the last three years.

Information is detailed in Table 1 below on the number of settled cases during the last two years only, as information is not available for 2009/10. It should also be noted that it is not possible to disaggregate figures for (a) clinical and (b) social care negligence cases.

**Table 1: Number of Clinical/Social Care Negligence Cases Settled (2010/11 – 2011/12)**

Year	Total Number of Settled Cases
2010/11	259
2011/12	205

**Source:** DHSSPS CN1 Annual Information Return

- (ii) Information detailed in Table 2 below refers to the number of cases of clinical/social care negligence that have been settled after issue of proceedings.

**Table 2: Number of Clinical/Social Care Negligence Cases Settled After Issue of Proceedings (2010/11 – 2011/12)**

Year	Settled After Issue of Proceedings <sup>1</sup>
2010/11	121
2011/12	107

1 This refers to all cases settled after issue of proceedings and does not include any cases settled prior to the issue of proceedings or any cases where no damages were paid. Furthermore, figures do not distinguish between cases where a negotiated settlement has been reached and those which have been heard by a Judge and damages awarded.

- (iii) There were no cases settled by a non-legal arbitration route during the last two years, i.e. where the parties involved referred the dispute to one or more 'arbitrators' and whose decision they agreed to be bound.

**Health Trusts: Ministerial Meetings**

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety (i) to outline the contacts which routinely take place between the officials and board members of the Health and Social Care Trusts and his departmental officials; (ii) whether agendas and minutes exist for these meetings; and (iii) where these agendas and meetings are published. (AQW 23837/11-15)

**Mr Poots:** As part of the governance arrangements between the Department and its Arms Length Bodies, my officials formally meet the Chairperson, Chief Executive and Executive Board Members of each Health and Social Care Trusts for mid and end year assurance and accountability meetings.

Agendas and minutes exist for each set of meetings and while these are not routinely published, they are subject to requests for release under the Freedom of Information Act.

In addition to these formal meetings, my officials hold a variety of meetings with Board members of Health and Social Care Trusts in the conduct of their normal business. Requests for information about each, including the existence of agendas and minutes are again subject to requests under the Freedom of information Act.

**Operations: Average Costs**

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what is the average cost of an operation; and the average cost broken down by surgical speciality. (AQW 23855/11-15)

**Mr Poots:** The cost of an operation differs significantly between patients and is subject to a range of variables, including the diagnosis, complexity of the care and the particular procedure performed. In that context, there is no single, meaningful average cost of an operation and therefore this information cannot be provided.

However, average unit costs broken down by speciality for a wide range of procedures are collected by my Department and can be provided upon request

**Children in Care**

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety, for each of the last three years, to detail (i) the number of children, broken down by age, who have been removed from the care of their parents following the

recommendation of a social worker; (ii) the number of these children who were returned to parental care, broken down by the timescale in which they were returned; and (iii) the number of these children who were placed in foster care on a long-term basis.

(AQW 23870/11-15)

**Mr Poots:**

- (i) Table 1 below contains the number of children who have been removed from the care of their parents following the recommendation of a social worker in each of the last three years.

**Table 1: Children Removed from their parents at the recommendation of a social worker<sup>1</sup>**

Year	Age Range				Total
	0 - 4	5 - 11	12 - 15	16 & Over	
2010/11	308	228	269	73	878
2011/12	276	262	229	70	837
2012/13	313	216	184	116	829

**Source:** Health and Social Care Trusts SOS CARE

1 These figures have not been validated by Community Information Branch

- (ii) Table 2 contains the number of these children who were returned to parental care broken down by the timescale they were in care.

**Table 2: Children Returned to parental care by timescale<sup>1, 2</sup>**

Year	Timescale					Total
	< 3 Months	3 Months < 6 Months	6 Months < 1 Year	1 Year < 2 Years	2 Years < 3 Years	
2010/11	125	47	70	92	31	365
2011/12	133	56	58	65	27	339
2012/13	192	43	46	40	26	347

**Source:** Health and Social Care Trusts SOS CARE

1 These figures have not been validated by Community Information Branch

2 The Northern Health and Social Care Trust was unable to provide figures for 2010/11 in the timeframe provided.

- (iii) Table 3 contains those children who were removed from parental care in each of the last three years and placed in long term foster care.

**Table 3: The Number of Children Removed from Parental Care and Placed in Long Term Foster Care<sup>1, 2</sup>**

Year	2010/11	2011/12	2012/13
Long Term Foster Care	320	314	387

**Source:** Health and Social Care Trusts SOS CARE

1 These figures have not been validated by Community Information Branch

2 The Northern Health and Social Care Trust was unable to provide figures in the timeframe provided.

### Patient Care Service: Transport

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the process by which a person with significant health issues and mobility limitations, who is cared for in a private facility under a contract with a local Health and Social Care Trust, is made responsible for providing their own transport to outpatient appointments.

(AQW 23877/11-15)

**Mr Poots:** General Practitioners assess whether their patients are eligible, on the basis of clinical need, for Patient Care Service transport provided by the Northern Ireland Ambulance Service. Patients who are not eligible for this service are expected to make their own arrangements either by using transport available to them or schemes that exist to help people with transport difficulties, including those provided by community transport operators, to take them to their outpatient appointment.

The Hospital Travel Costs Scheme provides help with travel costs to hospital for health service treatment for people and their dependants with entitlement determined on the basis of qualifying income levels.

### Cancer: Individual Funding Requests

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety (i) how many Individual Funding Requests the Health and Social Care Board has received since the new process was implemented in December 2012; (ii) how many of these requests were (a) approved; and (b) rejected; (iii) how many of the requests were for cancer medicines; and (iv) how many of the (a) approved; and (b) rejected requests were for cancer medicines.

(AQW 23889/11-15)

**Mr Poots:** The Health and Social Care Board (HSCB) has supplied the following information which demonstrates that the majority of individual funding requests (IFR) received by the HSCB are approved.

- (i) 113 IFRs received from 1 December 2012
- (ii) (a) approved: 107  
(b) rejected: 1  
(c) further info required: 2  
(d) no longer required: 2  
(e) not supported by Health and Social Care (HSC) Trust: 1
- (iii) 44 IFRs for Cancer medicines received from 1 December 2012
- (iv) (a) approved: 43  
(b) rejected requests were for cancer medicines: 0  
(c) not supported by HSC Trust: 1

### Travel Expenses: Northern Trust

**Mr McKay** asked the Minister of Health, Social Services and Public Safety how staff in the Northern Health and Social Care Trust, who are affected by the proposed changes to travel expenses, have been kept informed of the proposals.

(AQW 23970/11-15)

**Mr Poots:** I am advised that the Trust issued an information sheet to Assistant Directors on 30 April 2013 to cascade down to managers and staff; information was also published on the Trust's internal website. Staff will again be advised of the changes and given the website address in their June payslips.

### Health Service: Number of Staff

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to detail the number of people employed in (i) the Health Service; and (ii) his Department's arm's-length bodies in each year since 2007, broken down by grade.

(AQW 23990/11-15)

**Mr Poots:** Staffing information on the bulk of Health & Social Care organisations can be found in summary in the quarterly Key Facts Workforce Bulletin and in more detail in the annual HSC Workforce Census. These publications can be found on the DHSSPS website at: [http://www.dhsspsni.gov.uk/index/stats\\_research/workforce-statistics/stats-hsc.html/](http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.html/). Please note that changes in organisation structures, occupational family categories (due to the introduction of Agenda for Change or re-grading) and methodology refinements, mean that yearly comparisons may not be strictly comparable.

Additionally, staffing information from the Northern Ireland Medical and Dental Training Agency (NIMDTA) is shown in Table 1 below.

**Table 1: Staff on NIMDTA payroll 2007-2013**

Staff Category	2013		2012		2011		2010		2009		2008		2007	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
Admin & Clerical Bands/ Grades 2-4	28	27.21	30	28.8	31	30.2	38	37.2	32	31.3	26	26.9	30	27.6
A & C Bands/ Grades 5-7. QUB Grades 4-6	12	10.1	13	11.1	14	12.1	12	10.1	11	10.0	8	7.7	7	7.0
A & C Bands 8A-8D/Senior Managers/QUB Band 9	5	4.5	4	3.5	3	3.0	3	3.0	3	3.0	3	3.0	3	3.0

Staff Category	2013		2012		2011		2010		2009		2008		2007	
	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE	HC	WTE
GP/ Director of GP	79	14.6	81	14.2	84	15.8	92	16.9	92	18.8	79	17.7	69	15.2
Consultants	3	2.0	3	0.6	6	0.8	6	0.9	8	0.9	36	2.9	52	3.5
<b>Total</b>	<b>127</b>	<b>58.3</b>	<b>131</b>	<b>58.2</b>	<b>138</b>	<b>61.8</b>	<b>151</b>	<b>68.0</b>	<b>146</b>	<b>64.0</b>	<b>152</b>	<b>58.1</b>	<b>161</b>	<b>56.3</b>

Source: NIMDTA

In Table 2, Northern Ireland Fire & Rescue Service (NIFRS) have provided their staff figures by Standard Occupational Classification (SOC) and have identified the roles included in each SOC. Figures for 2013 were not available.

**Table 2: Staff employed at NIFRS 2007-2012**

Year	Standard Occupational Classification Group (Headcount)									Total
	1	2	3	4	5	6	8	9		
2007	148	0	1735	156	23	1	29	48	2140	
2008	143	1	1761	160	24	1	29	53	2172	
2009	132	1	1793	170	24	1	31	51	2203	
2010	147	2	1854	171	25	1	30	51	2281	
2011	135	2	1818	165	23	1	30	50	2224	
2012	122	2	1813	160	23	1	27	50	2198	

Source: NIFRS

The SOC codes used in Table 2 refer to the following staff groups within the NIFRS:

- 1 Station Commander up to Chief Fire Officer; Assistant Group Commander Control, Group Commander Control & Principal Fire Control Officer; Senior Officer, Principal Officer & Director.
- 2 Principal Officer.
- 3 Wholetime Operational – Firefighter, Crew Commander & Watch Commander; Retained Operational – Firefighter, Crew Commander & Watch Commander Scale 5 & 6, Senior Officer & Principal Officer.
- 4 Firefighter Controls, Crew Commander Controls & Watch Commander Controls; Scale 1 up to 6, Senior Officer.
- 5 Senior Officer, Scale 4 up to 6.
- 6 Principal Officer.
- 8 Scale 1 up to 3.
- 9 Scale 5 and Caretakers.

### Domiciliary Care: Private Providers

**Mr Allister** asked the Minister of Health, Social Services and Public Safety (i) to detail the total; and (ii) to provide a breakdown of, all contracts agreed with private domiciliary care providers in each of the last five years, identifying the location of any new provisions.

**(AQW 23998/11-15)**

**Mr Poots:** Individual contracts are the responsibility of Health and Social Care Trusts which commission domiciliary care across a wide range of programmes of care. The information you have requested is not held centrally and could only be collected at a disproportionate cost.

All contracts with private providers are subject to Public Contract Regulations which govern public procurement in Northern Ireland.

### Supply Contract (SS16A)

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety what is the most recent revision date of Supply Contract (SS16A); and whether all versions of Supply Contract (SS16A), predating the most recent change, have been withdrawn.

**(AQW 24002/11-15)**

**Mr Poots:** The most recent revision date of Supply Contract SS16A is 20th May 2013 and this version applies to all contracts awarded from 16th March 2013.

However, in line with the Late Payment of Commercial Debts (Interest) Act 1998 (as amended by the 2013 Regulations), those contracts signed before 16 March 2013 will retain the conditions agreed at the time the contract was signed.

### Supply Contract (SS16A)

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 19675/11-15, (i) when did the Health and Social Care Regional Procurement Board first become aware that it would be necessary to change the payment terms of contract (SS16A), earlier than the originally agreed date of September 2013; and (ii) when the contract review into the change of payment date from September 2013 commenced and was completed.

**(AQW 24004/11-15)**

**Mr Poots:**

- (i) The minutes of the Regional Procurement Board show that it was formally advised of the need to change payment terms earlier than the originally agreed date of September 2013 at its meeting on 1 February 2013.
- (ii) The Coalition Government's response to its consultation on the proposed revision to the Late Payment of Commercial Debts Act was published in February 2013. It concluded that it did not intend to avail of a potential opt-out available for Health in relation to the new payment terms. Following this, a review of the proposed regulations was completed and revised payment clauses for inclusion in the revised payment terms were agreed on 14 April. These clauses were transposed into terms and conditions on the Esourcing NI system on 20 May. The revised payment terms are applicable to all contracts awarded on or after 16 March 2013.

### Hospital Deaths: Falls

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many deaths have been associated with a fall in hospital, such as from a trolley, bed or wheelchair, broken down by hospital, for (i) 2010; (ii) 2011; and (iii) 2012.

**(AQW 24011/11-15)**

**Mr Poots:** The number of deaths which have been associated with a fall in hospital in Northern and Western HSC Trusts is shown in the table below:

Hospital	2010	2011	2012
Antrim	1	1	0
Causeway	0	1	0
Altnagelvin	1	1	1

**Source:** Northern & Western HSC Trusts

Belfast, South Eastern and Southern HSC Trusts have advised it is not possible using electronic systems, to identify whether a fall in hospital has resulted in the death of the patient as this information could only be provided if a clinician carried out a full review of all patients who have sustained a fall to identify if the death could have resulted from the fall in each of the years requested. As such this would incur a disproportionate cost.

### Ambulance Service: Staff Pay Bands

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety to detail the departmental time line for the completion of the exercise to band and grade Ambulance Service workers, as it has been nine years since the process commenced; for his assessment of (i) whether the delay in completing this exercise has resulted in the demoralisation of staff; and (ii) whether there is a deficiency in skills sets compared to Ambulance Service workers in Scotland, England and Wales.

**(AQW 24023/11-15)**

**Mr Poots:** Agenda for Change is being implemented in partnership with Trade Unions at Trust level. I am advised that similar to other Agenda for Change posts where the partners in the process were unable to agree a job match, the Emergency Medical Technicians and Paramedics posts are being subjected to full Job Evaluation. Despite following due regional and national processes and significant effort by the key partners involved, the Trust has been unable to conclude the process and produce agreed outcomes. The partners in this process agreed in February 2013 that the posts should be referred to the Regional Quality Assurance Job Evaluation Panel but this panel has been unable to meet because of the unavailability of one of its members. Whether or not new salary bands apply will depend on the outcomes of the Job Evaluation Process. However Paramedics and Rapid Response Paramedics and Emergency Medical Technicians are being paid on a without prejudice basis on Agenda for Change pay bands. Paramedics and Rapid Response Paramedics are being paid a Band 5 salary and Emergency Medical Technicians are being paid a Band 4 salary.

- (i) Whilst NIAS as the Employing Authority is anxious to receive confirmation of the agreed outcomes from the regional panel for all 3 of its staff groups, and recognises that the relevant post-holders also wish to receive notification of the final agreed outcomes for their jobs, the Trust has no evidence to suggest the delay in completing this exercise has resulted in the demoralisation of its staff.

- (ii) All frontline ambulance staff employed by NIAS are required to undertake and successfully complete nationally accredited ambulance training prior to commencing operational duties. The Trust is confident that its frontline staff have, and continue to retain, the necessary skill sets required to deliver out-of-hospital patient care to the public of Northern Ireland.

### Foyleview Special School, Derry: Nurse

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety what steps his Department is taking to ensure the retention of a nurse at Foyleview Special School in Derry.

(AQW 24073/11-15)

**Mr Poots:** The Western Health and Social Care Trust has confirmed that the current nurse at Foyle View School will be leaving. The Trust is actively trying to recruit a replacement and the school is being kept informed.

The Trust can assure the families of the pupils at the school that all individual pupil care plans are up-to-date. The Classroom Assistants are fully trained and deemed competent to carry out all the tasks associated with the care plans.

### Mid-Ulster Hospital

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety what discussions his Department has held on future provision at the Mid-Ulster Hospital; and to provide details of these discussions.

(AQW 24086/11-15)

**Mr Poots:** I can advise that my Department has held no discussions on future provision at the Mid-Ulster Hospital. The commissioning of hospital services is the responsibility of the Health and Social Care Board.

### Accident and Emergency: Antrim Area Hospital

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the number of patients presenting at Antrim Area Hospital Accident and Emergency department in each of the last five years; and any projections for use in the next three years.

(AQW 24100/11-15)

**Mr Poots:** Information on attendances (new, unplanned and/or planned reviews) at emergency care departments is published on an annual basis and is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3.htm)

Information for 2012/13 is due to be published on the 27th June 2013.

The Department has not made any projections as to the number of patients expected to attend Antrim Area Hospital emergency department in each of the next three years.

A new £9 million state of the art emergency department is due to open on 26th June 2013 at Antrim Area Hospital. The new facility has the capacity to cater for up to 90,000 attendances a year. In developing the business case for the new unit, the Northern HSC Trust estimated that by 2018 there would be almost 84,000 attendances.

### Southern Trust: Learning Disability Service

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many of the (i) 293 people with a learning disability taking part in day opportunities; and (ii) 246 people with a learning disability involved in voluntary training placements, in the Southern Health and Social Care Trust area, were aged (a) 19-25; (b) 26-35; (c) 36-45; and (d) over 45 years old; and what percentage of the people participating in these schemes have a severe learning disability.

(AQW 24103/11-15)

**Mr Poots:** The information is not held centrally and was therefore requested from the Southern Health and Social Care (HSC) Trust. The response is detailed below:

**Table 1: Day Opportunities – Learning Disability Service Users**

Age Band	19-25	26-35	36-45	Over 45	Total
Learning Disability Service Users	67	77	61	88	293

Figures have not been validated by the DHSSPS



**Table 2: Voluntary Training Placements**

Community Access Team	Age Band				Total
	19-25	26-35	36-45	Over 45	
Learning Disability - Armagh & Dungannon	5	21	12	14	52
Learning Disability - Craigavon & Banbridge	18	26	2	8	54
Learning Disability - Newry & Mourne	9	13	13	16	51
Physical Disability - Armagh & Dungannon	2	3	8	5	18
Physical Disability - Craigavon & Banbridge	1	3	4	11	19
Physical Disability - Newry & Mourne	2	2	11	29	44
Access - Sensory Disability	-	-	1	3	4
<b>Total</b>	<b>37</b>	<b>68</b>	<b>51</b>	<b>86</b>	<b>242*</b>

\* This question and AQW23105/11-15 indicated 246 placements. A check by the Trust has indicated that the actual number of users in voluntary training placements was 242.

Figures have not been validated by the DHSSPS

### Severe Learning Disability

Day Opportunities and Voluntary Training Placements are designed to meet the needs of service users whose needs are best met in a community setting. All of these participants have person centred plans and have had comprehensive assessments undertaken by key workers and would be considered to have a severe Learning Disability within the terms of the Mental Health Order, while being judged to have low dependency needs. The Trust has supported these individuals to avail of community based activities which accommodate their specific needs.

Service users who present with challenging behaviours or whose needs are highly complex will continue to have their needs met in a day care setting.

### Care Homes: HSCB Oversight

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 22703/11-15, what steps have been taken to establish a Health and Social Care Board led regional oversight process on the future of statutory care homes. (AQW 24116/11-15)

**Mr Poots:** On 3rd May 2013, I called a halt to the Trusts' consultation processes. I have asked the Health and Social Care Board (HSCB) to lead on a new, regionalised process for consulting, engaging and implementing change. In doing so, I am keen to secure the best possible outcomes for older people, including those currently residing in statutory residential care homes.

The Health and Social Care Board has now convened the Regional Planning Group which has already had preliminary meetings. A Project Brief has been issued by my Department to inform the work of this Group.

My Department expects to receive a Project Initiation Document (PID), from the HSC Board, in the coming weeks. This document will set out the milestones for delivery of the project and the associated project structure.

### Hydebank Wood: Healthcare Costs

**Mr Copeland** asked inister of Health, Social Services and Public Safety to detail the cost of healthcare provided at Hydebank Wood Young Offenders Centre and Prison in each of the last five years. (AQW 24145/11-15)

**Mr Poots:** The cost of healthcare provided at Hydebank Wood Young Offenders Centre and Prison in each of the last five years, broken down between (i) Goods and Services (G&S) and (ii) Salaries and Wages (S&W) is shown in the table below.

Year	G&S (£)	S&W (£)	Total (£)
2008/09	257,872	977,184	1,235,056
2009/10	233,607	1,026,459	1,260,066
2010/11	309,530	923,123	1,232,653
2011/12	316,642	882,399	1,199,041
2012/13	316,107	802,571	1,118,678

**Note** G&S includes such items as Pharmacy Drugs, Pharmaceutical Services and Addiction Services for Prisons

### Tobacco: Packaging Legislation

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety to outline his position on standardised packaging of tobacco products, following the announcement by his counterpart in the Irish Government that he will be introducing legislation on this matter; and whether he will join with the Scottish and Welsh Governments in calling on the British Government to introduce legislation on standardised packaging.

**(AQW 24153/11-15)**

**Mr Poots:** I support measures that lead to a reduction in the uptake of smoking by children and young people which is why I agreed to the inclusion of Northern Ireland in a UK-wide consultation exercise on standardised packaging for tobacco products. This was led by the Department of Health in London. The consultation responses at UK-wide level and for each Devolved Administration are currently being considered.

Ideally, I would like to see a UK-wide approach taken on standardised packaging and I have recently written to the Secretary of State for Health to encourage him to come to an early decision on this issue.

### Mental Health Services: South Eastern Trust

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20810/11-15, how Psychology and Psychological Therapy services within the South Eastern Health and Social Care Trust have been strengthened in recent years.

**(AQW 24178/11-15)**

**Mr Poots:** In 2008 and 2010, the Trust secured significant additional funding to increase staffing levels in Adult Mental Health Services in response to the significant increase in demand for psychological therapies. In 2011, the Trust established a multi-disciplinary, cross programme Working Group to develop a structure for an integrated Clinical Psychology and Psychological Therapies Service. In April 2013 the remaining Cognitive Behaviour Therapy staff within Adult Mental Health Services joined the integrated service. This integrated structure optimises clinical efficiency and effectiveness and facilitates governance of psychological therapies delivered across the Trust.

### Downe Hospital: Low Secure/Rehabilitation Centre

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 20806/11-15, for an update on the South Eastern Health and Social Care Trust's plans to locate a Low Secure/Rehabilitation centre at the Downe Hospital site in Downpatrick.

**(AQW 24179/11-15)**

**Mr Poots:** I am advised that the South Eastern Trust plans to relocate its Acute Mental Health Inpatient provision to a single site at the Ulster Hospital. In doing so, the Trust also proposes to relocate its Inpatient Low Secure and Rehabilitation Service to the Downe Hospital. This is dependent on business case approval and funding availability.

### Community Care Packages: Northern Trust Delay

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety how many people are awaiting community care packages in the Northern Health and Social Care Trust area; and to outline the reasons for the delay in providing care packages in this area.

**(AQW 24198/11-15)**

**Mr Poots:** The information was requested from the Northern Health and Social Care (HSC) Trust. The response is detailed below:

#### Care Managed Clients Waiting in the Community for Domiciliary / Nursing Care at 14th June 2013

Care Type	Clients Waiting	Reason Waiting
Domiciliary Full Package	27	No domiciliary package available
Permanent Nursing Care	3	No nursing beds available

Figures have not been validated by DHSSPS

At 14th June 2013, no-one was waiting in the community for respite, temporary placement or residential care.

### Mileage Allowance: Nurses

**Mr McKay** asked the Minister of Health, Social Services and Public Safety what are the projected savings from the changes to the mileage allowance paid to nurses by the Health and Social Care Trusts.

**(AQW 24231/11-15)**

**Mr Poots:** Information on mileage allowance paid to nurses is not held centrally and could only be obtained from Trusts at a disproportionate cost. This new system is not being introduced as a cost cutting exercise; Trusts have assessed the impact

across all staff who claim reimbursement of travel costs and this assessment indicates that over 70% of staff will gain under the changes being introduced from 1 July 2013.

### Mileage Allowance: Trade Union Correspondence

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to outline the correspondence his Department has received from trade unions on changes to the mileage allowance by Health and Social Care Trusts.

**(AQW 24233/11-15)**

**Mr Poots:** My Department has received two separate letters from the Joint Secretaries of the Health Service Trade Unions one requesting a meeting to discuss the changes and a subsequent letter detailing the main issues for discussion.

### Cancer: South Antrim

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of people in South Antrim diagnosed with cancer; (ii) the number of these people who are receiving treatment; and (iii) how many people in each electoral ward of South Antrim have died from cancer in each of the last three years.

**(AQW 24236/11-15)**

**Mr Poots:**

- (i) and (ii) The number of patients in South Antrim diagnosed with cancer in each of the last three years (for which information is available) is set out in Table 1 below. Information has been disaggregated by those who had and had not received treatment within a year of diagnosis:

**Table 1: The number of cancer patients, excluding non-melanoma skin cancer (ICD-10 C00-97\* excl C44), diagnosed in South Antrim Parliamentary Constituency 2008-2010, broken down by year and whether or not they received treatment\*\***

Year of diagnosis***	Number of cancer patients		
	No record of treatment**	Record of treatment**	Total
2008	130	236	366
2009	153	265	418
2010	152	283	435

**Source:** Northern Ireland Cancer Registry

\* For a listing and explanation of ICD10 topology or site codes see: International Statistical Classification of Diseases and Related Health Problems, Tenth Revision, World Health Organisation, Geneva. Or view online at <http://apps.who.int/classifications/icd10/browse/2010/en#II> ; non-melanoma skin cancer is a very common, but rarely fatal, cancer. Non-melanoma skin cancer's exclusion helps to reflect the true burden of cancer in the community.

\*\* Treatment is defined as those patients for whom Northern Ireland Cancer Registry (NICR) has a record of either surgery, chemotherapy, or radiotherapy, within one year of their cancer diagnosis. NICR receives this information from the Trusts' Patient Administration System, and from audits of patient notes.

\*\*\* Treatment data is not available for 2011, the most recent incidence year available, because it is necessary to follow up all patients till the end of 2012 for treatment information to ensure 12 months follow up after diagnosis; this information comes in concurrently with 2012 incidence information which is currently being processed. There were 419 incidences of cancer (excluding NSMC) in South Antrim Parliamentary Constituency in 2011.

- (iii) Due to the differing time lags associated with deaths, treatment and diagnoses information, cancer deaths in each electoral ward of South Antrim Parliamentary Constituency are set out for each of the last five years available in Table 2. This is to allow comparisons to be made with both the latest treatment and incidence data as well as provide the most recent three years deaths data available.

**Table 2: Number of deaths due to Cancer<sup>1</sup> in each electoral ward of South Antrim, 2008-2012P**

Ward	2012P	2011	2010	2009	2008
Aldergrove	3	6	6	9	7
Balloo	9	6	4	7	6
Ballycraigy	6	5	10	5	5
Clady	4	4	1	2	2
Cranfield	14	4	9	7	8
Crumlin Antrim	8	3	2	7	4

Ward	2012P	2011	2010	2009	2008
Drumanaway	3	1	8	2	2
Farranshane	5		1	1	3
Fountain Hill	7	5	5	3	8
Greystone Antrim	6	7	6	2	4
Massereene	5	10	7	10	12
Parkgate	4	7	2	2	6
Randalstown	9	3	12	6	5
Shilvodan	7	6	9	7	2
Springfarm	6	3	5	3	7
Steeple	3	6	3	4	3
Stiles	2	7	3	4	4
Templepatrick	8	9	7	6	7
Toome	5	6	4	1	3
Ballyclare North	10	8	9	13	15
Ballyclare South	10	11	13	4	3
Ballyduff	7	5	4	6	8
Ballyhenry	8	12	4	9	3
Ballynure	11	7	6	8	10
Ballyrobert	8	8	15	3	7
Burnthill	3	8	7	6	6
Carnmoney	9	7	6	7	12
Collinbridge	4	6	6	8	7
Doagh	6	3	5	4	9
Glebe Nabbey	3	10	8	4	8
Glengormley	19	11	11	4	8
Hawthorne	8	7	5	4	6
Hightown	7	6	5	3	13
Mallusk	9	10	10	4	9
Mossley	9	3	12	9	4
	<b>245</b>	<b>220</b>	<b>230</b>	<b>184</b>	<b>226</b>

1 Cancer deaths are identified using the International Classification of Diseases, Tenth Revision (ICD10) codes C00-C97, where cancer has been the underlying cause of death.

P 2012 data is provisional until the publication of the Annual Report of the Registrar General 2012, due to be released in November 2013.

## Legislation: DHSSPS

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24256/11-15)**

**Mr Poots:** I have introduced the Tobacco Retailers Bill to the Assembly on 15th April 2013 and intend to introduce primary legislation in relation to Mental Capacity, Adoption, Food Hygiene Rating, and Processing of Service User Information. I also intend to introduce legislation which will make amendments to the Health and Social Care (Reform) Act (NI) 2009 and the Health (Miscellaneous Provisions) Act (NI) 2008.

Other requirements for primary legislation relating to DHSSPS responsibilities may arise during this mandate and these will be reviewed on a regular basis.

There may also be a need to introduce subordinate legislation during the course of this Assembly mandate arising as a result of some of the primary legislation. However, at this point, it is not possible to be precise as to the nature or volume of such legislation.

## Mental Health: Young People in Foyle

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety what support services are available for young people in the Foyle constituency who are diagnosed with mental health issues.

**(AQW 24268/11-15)**

**Mr Poots:** The Western Health and Social Care Trust (WHSCT) provides Child and Adolescent Mental Health Services (CAMHS) to young people in the Foyle constituency from its local community-based team, based in Woodlea House on the Gransha Hospital site.

CAMHS provide a service to Children & Young People from 5 to 18 years through multidisciplinary teams which are made up of Psychiatry, Psychology, Social Worker and Clinical Nurse Specialists. The service also works closely with statutory, voluntary and private agencies.

Inpatient care for young people, when required, is provided in Beechcroft, the Regional Child and Adolescent Inpatient Mental Health Unit in Belfast.

## Maternity Services: Regional Review

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety when the Regional Review of Maternity Services will commence.

**(AQW 24299/11-15)**

**Mr Poots:** The Regional Review of Maternity Services has already been completed; it was launched in 2010 and, following public engagement and a consultation process in September 2011, a Strategy for Maternity Care in Northern Ireland 2012-2018 was published in July 2012.

The Strategy gives women, health service commissioners and policy makers a clear pathway for maternity services in Northern Ireland from preconceptual care through to postnatal care and contains 22 objectives. The objectives were developed by a project board comprised of commissioners, clinicians and service users. They are based on current professional advice and best practice, and subject to available resources are achievable.

The Health and Social Care Board and the Public Health Agency are leading on the implementation of the Strategy.

The Strategy can be accessed on the Department's website at – <http://www.dhsspsni.gov.uk/maternity-strategy.htm>

## Transforming Your Care: Communication

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety what measures he is taking to communicate better the individual components of Transforming Your Care.

**(AQO 4289/11-15)**

**Mr Poots:** I have informed Members on previous occasions that good communication and engagement with those likely to be impacted by service changes arising from Transforming Your Care, is essential.

I have made Statements to the House at key milestones in the development of TYC and briefed the Health Committee on a regular basis.

The Health and Social Care Board is undertaking the day to day work on the implementation of TYC. Their Communications and Engagement Plan focuses on:

- Engaging with residents of Statutory Residential Homes and their families in the decision making process for the future of statutory residential care
- Engaging with the Voluntary & Community sector seeking opportunities for collaborative working
- Engaging with the healthcare workforce and supporting through the transition period
- Ensuring that patients and users are at the heart of what we do.

There was extensive engagement and communication on the development of TYC and public consultation on the proposals emerging from it. It is important that where any significant, specific local changes are to take place, a further formal period of public consultation is held, with involvement of local stakeholders.

## Health and Care Centres: Lisburn and Newry

**Ms Fearon** asked the Minister of Health, Social Services and Public Safety when the business case from the Health Infrastructure Board on its decision to locate two Health and Social Care campuses in Lisburn and Newry will be published.

**(AQO 4291/11-15)**

**Mr Poots:** Copies of the business cases for Lisburn and Newry Health and Care Centres, approved by the relevant trust Boards, are available on request from my Department.

## Paediatric Congenital Cardiac Surgery: Update

**Mr Ó hOisín** asked the Minister of Health, Social Services and Public Safety for an update on the paediatric congenital cardiac surgery issue.

**(AQO 4296/11-15)**

**Mr Poots:** I met with the Republic of Ireland's Minister for Health, Dr James Reilly TD, on 8th May 2013 to discuss whether there is any scope for flexibility in the location for the future delivery of this service. I asked Minister Reilly to give consideration to a two centre model potentially providing PCCS services in both Belfast and Dublin. Consideration of this proposal is continuing at official level to determine whether such a model would be feasible. I will inform the Assembly of the outcome when I announce my decision on the future commissioning of this service which I hope to do so in the weeks ahead.

## Community Pharmacies

**Mr Moutray** asked the Minister of Health, Social Services and Public Safety what progress has been made on expanding the range of services provided by community pharmacies.

**(AQO 4297/11-15)**

**Mr Poots:** As I informed the Assembly in January 2013 negotiations have been continuing with community pharmacy representatives on a new contract. Good progress has been made with a number of new services developed and commissioned in 2012 and 2013. These include an extension of the minor ailments service and the introduction of a Medicines Use Review service targeted initially on all respiratory patients taking multiple medicines. Discussions are continuing to expand this service further to cover other areas.

On 6 June 2013 the HSC Board and Public Health Agency announced the launch of a joint initiative for the development of a Health Plus Pharmacy programme. The goal of the programme is to enhance the public health focus of community pharmacies providing settings that the public will recognise as places where they can access high quality advice and services promoting health and disease prevention, early intervention, self-care and reducing health inequalities.

Within the next few weeks I also hope to launch a consultation document on a new strategy for the provision of pharmacy services in the community. The strategy will align developments in community pharmacy with the wider transformational changes in the health service and provide the framework for the further expansion of the range of services provided by community pharmacies.

## Cancer: Individual Funding Requests

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety for his assessment of why local cancer patients are eight times less likely to be referred for an Individual Funding Request for specialist treatment than cancer patients in England.

**(AQO 4298/11-15)**

**Mr Poots:** The Health and Social Care Board has a clear process for the submission and review of Individual Funding (IFR) requests. From April 2012 to March 2013 the Board received 105 IFR requests for cancer drugs, of which 93 were approved. Two requests for funding were not supported. The remaining 10 did not progress. The total cancer drug expenditure in 2012/13 was £24.8m

## Kinship Carers: Residence Orders

**Ms McCorley** asked the Minister of Health, Social Services and Public Safety to outline the support provided to Kinship carers under current Residents Orders.

**(AQO 4299/11-15)**

**Mr Poots:** Children who are subject to a Residence Order have the same entitlement to support services universally available to children and their families. Additional support may be accessed from Family Support Hubs in HSC Trust areas where they currently exist. Further investment is being made in Family Support Hubs under the Delivering Social Change Programme and, as a result, Hubs will be available across Northern Ireland by 2014.

More focused and specialist support may be provided by a HSC Trust to "children in need" as defined in Article 17 of the Children (Northern Ireland) Order 1995. Such services will be determined following assessment and will be specific to the individual needs of the child. Finally, where a child in kinship care was previously a 'looked after' child, discretionary financial assistance may be paid to the kinship carer(s).

## Adoption: Legislation

**Mr Mitchel McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on his plans to amend adoption legislation.

**(AQO 4300/11-15)**

**Mr Poots:** It is still my intention to introduce new adoption legislation in the current mandate. The Adoption and Children Bill, which is currently being drafted, will introduce much needed reform of adoption in Northern Ireland and will ensure that the

child is put firmly at the centre of the adoption process. I hope to publish the draft Bill for consultation in early 2014, with a view to introduction in the Assembly in late 2014.

### Transforming Your Care: Pinewood Residential Home, Ballymena

**Mr Frew** asked the Minister of Health, Social Services and Public Safety for an update on the new regional process for implementing Transforming Your Care, including how this will affect Pinewood Residential Home, Ballymena.

**(AQO 4301/11-15)**

**Mr Poots:** On 3 May I announced a halt to Trusts' processes, or intended processes, around consulting on the future of statutory residential homes.

The Health and Social Care Board has now convened the Regional Planning Group which has already had preliminary meetings. A Project Brief was issued by my Department on 28 May 2013 to inform the work of this Group.

My Department expects to receive a Project Initiation Document, from the HSC Board, in the coming weeks. This document will set out the milestones for delivery of the project and the associated project structure.

The future of Pinewood Residential Care Home is part of this new regional process, with consultation occurring at local Trust level. I would urge all interested parties to engage with the process.

## Department of Justice

### Care and Supervision Unit

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22957/11-15, given the nature and purpose of the Care and Supervision Unit, for his assessment of the recommendation that one member of staff is sufficient, even during prisoner lock and with radio contact, particularly given the circumstances and outcome of the case in question.

**(AQW 23846/11-15)**

**Mr Ford (The Minister of Justice):** I am satisfied that the Northern Ireland Prison Service provide appropriate staffing levels in the Care and Supervision Unit.

### Prison Service: Inaccurate Information

**Lord Morrow** asked the Minister of Justice to detail on how many occasions, during the current and previous Assembly mandate, inaccurate information has been provided by the Northern Ireland Prison Service in response to Questions for Written Answer.

**(AQW 23884/11-15)**

**Mr Ford:** Data on the information requested is not statistically recorded and therefore could only be provided at disproportionate cost.

### Children's Order: Final Contact Orders

**Mr Allister** asked the Minister of Justice, for the first quarter of 2010, 2011, 2012 and 2013, (i) how many final contact orders were made under the Children Order; (ii) how many applicants in these cases were fathers; (iii) how many applicants in these orders were mothers; (iv) what was the Legal Aid cost for these orders; (v) how many contact orders were broken and how many people were held in contempt of court for breaking the judicial order; and (vi) for his assessment of (a) the amount of contact orders awarded; (b) if the court area is the correct setting for these cases; and (c) the rise in cases between 2011 and 2012.

**(AQW 23886/11-15)**

**Mr Ford:** Information on the number of contact orders made and the number of defendants found guilty of breaching a contact order is given in the table below.

#### Contact Orders Made: January - March 2010 to January – March 2013

Quarter	Number of contact orders made	Number of defendants found guilty of breaching a contact order
January-March 2010	749	0
January-March 2011	815	1
January-March 2012 <sup>P</sup>	970	2
January-March 2013 <sup>P</sup>	1,178	1

Source: ICOS

<sup>P</sup> Data is currently provisional

It is not possible to provide the information on the relationship between the applicant and the child as this information is not routinely collated. To identify the number of applications from fathers or mothers would require a manual review of each court order and could only be obtained at a disproportionate cost. The associated legal aid cost could only be identified by a similar review and would also incur a disproportionate cost.

Family proceedings involve some of the most difficult and sensitive issues that courts have to deal with. It is preferable that disputes over arrangements for children are resolved outside court whenever possible.

The use of alternative dispute resolution (ADR) services such as mediation can help to sustain better relationships and minimise the impact of separation on children. However, there will be cases which are not suitable for ADR and for which the court is the appropriate setting. While it is preferable that family matters should be resolved without recourse to legal action, it is sometimes necessary for the courts to become involved.

My officials are working with colleagues from the DHSSPS and other relevant Departments on the potential benefits of ADR in private law cases.

An increase in the overall number of contact orders usually corresponds with the general level of family business, although the number of cases with at least one order decreased between 2011 and 2012. Several contact orders may issue in respect of a child in any one case.

### **Prison Officers: Suspended from Duty**

**Lord Morrow** asked Minister of Justice, pursuant to AQW 22638/11-15, AQW 21450/11-15 and AQW 19382/11-15, whether the three senior officers disciplined as a result of the investigation into the death in custody of Colin Bell, as highlighted in the Ackah and Deane Report, were suspended from duty and if the charges preferred were under Gross Misconduct. **(AQW 23918/11-15)**

**Mr Ford:** This information has been withheld as disclosure would be contrary to the Data Protection Act 1998.

### **Social Media: Threats to Kill**

**Mr McKay** asked the Minister of Justice to outline the legislation that addresses threats to kill messages on social media and for his assessment of how successfully it is being enforced. **(AQW 23934/11-15)**

**Mr Ford:** Threats to kill, whether made in social media or otherwise, are an offence under section 16 of Offences against the Person Act 1861. It is an offence if a person, without lawful excuse, makes a threat to kill another, intending that that other should fear it would be carried out. If found guilty, an offender is liable to imprisonment for up to ten years.

Section 127 of the Communications Act 2003 also makes it an offence to send by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character. The maximum penalty is 6 months' imprisonment and/or a fine of up to £5000 on summary conviction.

The Police Service of Northern Ireland does review social media postings and, where appropriate, refer potential offences to the Public Prosecution Service (PPS). The PPS decides on the basis of the evidence and of the public interest whether to prosecute. As regards threats on social media, this includes considerations such as the credibility of the threat and the context in which it was made. Matters of charging and prosecution in individual cases are within the operational independence of the Chief Constable and the Director of Public Prosecutions.

### **Prisoners: Unlawfully at Large**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23178/11-15, to detail the number of prisoners that have been granted compassionate bail; and of these how many (i) absconded; and (ii) remain unlawfully at large in 2013. **(AQW 23940/11-15)**

**Mr Ford:** During the period 1 January to 24 May 2013, provisional data indicates that 58 prisoners were granted compassionate bail. Of these, five absconded during this period with one prisoner remaining unlawfully at large as at 24 May 2013.

### **Police Fund: Chronic Pain Treatment**

**Mr Copeland** asked the Minister of Justice, pursuant to AQW 23002/11-15, to detail (i) if the service delivery partner used by the Northern Ireland Police Fund provides the same programme of chronic pain relief to its clients, including the administration of pain relief injections; (ii) whether the service delivery partner provides domiciliary visits; and (iii) whether the Northern Ireland Police Fund sought professional medical advice prior to this change in service. **(AQW 23959/11-15)**

**Mr Ford:** Further to my answer to AQW 23002/11-15, and for the avoidance of any misunderstanding, the Northern Ireland Police Fund provided a chronic pain management programme not a chronic pain relief programme to its clients.

I have been advised by the Northern Ireland Police Fund that the service delivery partner does not provide the same programme. It provides a range of pain management interventions based on the needs of clients within the scope of practice of its clinicians and on the best available clinical evidence. These include one-to-one physiotherapy and one-to-one



psychological therapies. The provider has advised that for more complex needs it collaborates to provide individually tailored and group programmes based on a cognitive behavioural approach, combined with functional reactivation, education and relaxation. In addition, where a client's needs fall outside of the service delivery partner's remit, it would liaise with the client's general practitioner for onward referral as appropriate.

I am also advised that the service delivery partner provides home assessments where necessary, and that treatment is provided in approved physiotherapy practices and physiological therapies in a number of accessible locations including Omagh and Londonderry, as well as at the service delivery partner's own premises in Belfast.

As part of its recently completed review of chronic pain management provision, the Fund sought and received professional medical advice prior to this change in service.

### Police Fund: Eligibility Criteria

**Mr Copeland** asked the Minister of Justice, pursuant to AQW 23003/11-15, why the Northern Ireland Police Fund, in offering assistance to police officers and former officers who have been injured and disabled as a direct result of terrorism, requires that officers must be able to prove that they were the direct, intended target of a terrorist attack to receive assistance.

**(AQW 23960/11-15)**

**Mr Ford:** I have been advised by the Northern Ireland Police Fund that such proof is required to ascertain if a police officer or former officer who has been injured and disabled meets the Fund's eligibility criteria to become a client of the Fund.

Such officers who wish to apply for eligibility are considered at one of the Fund's regular case conferences where their application is considered by a Quorum of Directors against the Fund's eligibility criteria.

### Police Fund: Grant Recipients

**Mr Copeland** asked the Minister of Justice, pursuant to AQW 23001/11-15, to detail (i) the funding provided by the Northern Ireland Police Fund to groups for 2013/14; (ii) the groups that received an interim grant and if all terms and conditions were the same for each group; (iii) the groups that received one hundred per cent of their grant from the Northern Ireland Police Fund; (iv) if all those receiving the grant were direct intended targets of terrorism; and (v) if all recipient groups are registered charities.

**(AQW 23961/11-15)**

**Mr Ford:** The Northern Ireland Police Fund (NIPF) has not yet completed its allocation of funding for the year 2013/14 to the groups which applied for funding as detailed in AQW/23001/11-15. Details of funding for those groups which have received some funding at 10 June 2013, can be found in the table below:

Group	2013/14 £
Carers' Association	5,000
Disabled Police Officers' Association Northern Ireland	14,000
Parents' Association	40,310

I am advised by the NIPF that for the year 2013/14, the Carers' Association and the Disabled Police Officers Association Northern Ireland have received interim grants as the information presented to the NIPF required clarification or was insufficient to allow a final decision on their submitted bids.

I am also advised by the NIPF that the terms and conditions for each group differed slightly as each is tailored to reflect the information provided by the group which allowed for the interim grant to be made.

Not all those receiving grants were direct intended targets of terrorism as the NIPF also supports carers, parents and others in line with the Steele Report and its Management Statement and Financial Memorandum.

The NIPF advises that not all recipient groups are registered charities.

### Children's Order: Final Contact Orders

**Mr Allister** asked the Minister of Justice, to detail (i) how many final contact orders were made under the Children's Order; (ii) the number of orders sought by (a) mothers; and (b) fathers; (iii) how many orders were breached; and on how many occasions were those in breach held in contempt of court or otherwise made amenable; and (iv) if the resulting Legal Aid bill for proceedings under the Children's Order is known, in each year since 2010.

**(AQW 23975/11-15)**

**Mr Ford:** Information on the number of contact orders made and the number of defendants found guilty of breaching a contact order is given in the tables below.

**Contact Orders Made: 2010 to 2012P**

Year	Number of contact orders made	Number of defendants found guilty of breaching a contact order
2010	3,157	2
2011	3,866	1
2012P	4,318	2

**Source:** ICOS

<sup>P</sup> Data is currently provisional

It is not possible to provide the information on the relationship between the applicant and the child as this data is not routinely collated. To identify the number of applications from fathers or mothers would require a manual review of each court order and could only be obtained at a disproportionate cost.

The following table details all legal aid payments made in respect of the Children Order, including contact orders, for each year since 2009/10. This reflects the year payment was made which may not be the year the case was dealt with.

**Total Children Order Spend 2009/10 to 2012/13**

Year	Total Children Order Spend
2009/10	£13m
2010/11	£18.9m
2011/12	£23m
2012/13	£22.4m
<b>Total</b>	<b>£77.3m</b>

\*Rounded to nearest half million.

**Patten Scheme: Age Requirements**

**Mr Dickson** asked the Minister of Justice for his assessment of the sense of unfairness felt by some police officers who had completed the required length of service but were unable to leave the PSNI under the Patten Scheme due to age requirements.

**(AQW 24009/11-15)**

**Mr Ford:** The Voluntary Severance Scheme arose from the recommendations of the Independent Commission on Policing for Northern Ireland (Patten Commission) which was established as a result of the Good Friday Agreement. Consultation with members of Police Associations on this Scheme indicated that, while they felt the scheme should have been more generous, it offered the best overall deal for the majority of police officers.

The regulations governing the severance arrangements for members of the Police Service of Northern Ireland detail the criteria for admission to the Severance Scheme.

In line with similar schemes, there had to be a cut off point for eligibility. I recognise that in such circumstances there will often be individuals who feel a sense of grievance.

**Firearm Inspections: PSNI Authorisation**

**Lord Morrow** asked the Minister of Justice to place a copy in the Assembly library of the authorisation for the PSNI to carry out inspections of firearms dealers stores on behalf of his Department.

**(AQW 24025/11-15)**

**Mr Ford:** Part III of the Firearms (Northern Ireland) Order 2004 sets out the role of the Chief Constable in granting a Firearms Dealer's Certificate. Article 26(2)(b) states that the Chief Constable must be satisfied that every place of business where it is proposed to carry on business as a firearms dealer is suitable for that purpose.

**Prisoners: Self-harmed/Suicide/Attempted Suicide**

**Lord Morrow** asked the Minister of Justice to detail the number of prisoners, who were not subject to the Prisoner at Risk or Supporting Prisoners at Risk processes, who have (i) self-harmed; or (ii) committed an act of suicide or attempted suicide, since January 2008.

**(AQW 24026/11-15)**

**Mr Ford:** Northern Ireland Prison Service (NIPS) electronic records began in 2010. To collate the information prior to that time would be at a disproportionate cost.

Table A below shows those prisoners not subject to the Prisoner at Risk or Supporting Prisoners at Risk processes who self harmed since 2010.

Year	No. of distinct inmates who self harmed who were not subject to the SPAR process
2010	142
2011	198
2012	201
2013	121

Table B below shows those prisoners not subject to the Prisoner at Risk or Supporting Prisoners at Risk processes who committed an act of suicide since 2010.

Year	No. of distinct inmates who committed an act of suicide who were not subject to the SPAR process
2010	2
2011	4
2012	3
2013	1

Information available does not differentiate between the act of self harm and an attempt, or act of suicide.

### Prison Service: Safer Custody

**Lord Morrow** asked the Minister of Justice, given that The Safeguarding Vulnerable Groups (NI) Order 2007 specifies that all those detained in lawful custody are vulnerable, and that the related Standards and Guidance for Good Practice published in 2010 recommends that such persons should be supported by robust procedures and guidelines to keep them safe from harm, how safer custody is managed within the Northern Ireland Prison Service on a daily basis by operational staff.

**(AQW 24027/11-15)**

**Mr Ford:** On a daily basis safer custody issues are managed by all staff who work within Establishments and include management of procedures and processes intended to manage prisoners, particularly those specifically identified as vulnerable. In addition, prisoners identified as immediately at risk of suicide and/or self harm are managed in accordance with the Self Harm and Suicide Prevention Policy 2011 and the accompanying Standing Operating Procedure.

### Prison Service: SPAR Training

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22663/11-15 and the consequences of a lack of proper training in the case of Prisoner Mr 'C'; (i) whether the training measures referred to in his answer have been implemented at Maghaberry; (ii) if not, why they have yet to be implemented; (iii) if the measures have been implemented, by whom are they being managed; and (iv) what external and internal monitoring is taking place.

**(AQW 24028/11-15)**

**Mr Ford:** The Governor of Maghaberry instructed that all operational managers should receive full training in SPAR. This training, which is scheduled each Monday and delivered by the Prison Service training team, commenced on 23 April 2013. These sessions will continue until all managers have been fully trained. Training is managed on behalf of the Governor of Maghaberry by the Head of Personnel and the Head of Prisoner Safety & Support. Monitoring of this training is recorded by the Maghaberry Training Department.

### Prison Service: SPAR Training

Lord Morrow asked Minister of Justice, given that the Prisoner Ombudsman has repeatedly highlighted the importance of quality rather than just the quantity of human contact in caring for vulnerable prisoners, whether the Northern Ireland Prison Service, in conjunction with the South Eastern Health and Social Care Trust has designed and implemented a process to manage this contact and to assess the quality of care afforded to prisoners who are subject to Supporting Prisoners at Risk.

**(AQW 24029/11-15)**

**Mr Ford:** Managing suicide and self-harm within prisons is a very difficult and complex problem as the prison population comprises a high proportion of vulnerable individuals.

The Northern Ireland Prison Service and the South Eastern Health and Social Care Trust are committed to providing effective services to vulnerable prisoners and will continue to work in partnership to support those prisoners being managed under the Supporting Prisoners At Risk procedures.

Any lessons learned from Prisoner Ombudsman's reports will continue to be taken forward by the Prison Service in collaboration with the South Eastern Health and Social Care Trust, through the existing governance structures.

In addition, Safer Custody managers in each prison establishment monitor the quality of care to prisoners by completing regular audits of Supporting Prisoner at Risk documentation, reporting any issues to managers.

Improvements in performance and cultural change are being taken forward as part of the wider Prison Reform programme.

### Community Service: North Down

**Mr Weir** asked the Minister of Justice how many hours of community service have been carried out in the North Down area in each of the last five years; and how this is monitored.

**(AQW 24045/11-15)**

**Mr Ford:** The number of hours of community service carried out in the North Down<sup>1</sup> area in each of the last five years is detailed in Table 1 below.

**Table 1**

Year	Total Community Service Hours Sentenced <sup>2</sup>
2008/09	6,800
2009/10	5,300
2010/11	7,500
2011/12	10,000
2012/13	6,400

- 1 Based on the address recorded at the time of the order starting.
- 2 The data presented is drawn from the PBNI's case management system (PIMS). Although care is taken when processing and analysing the data, the data is subject to inaccuracies inherent in an administrative data recording system. While the figures have been checked as far as practicable, they should be regarded as approximate and not necessarily accurate to the last whole number shown in the tables.

The Community Service Scheme for North Down is managed by a Probation Board for Northern Ireland (PBNI) Specialist Team with team members based in Greater Belfast and Newtownards. All staff work to the PBNI Best Practice Framework, agreed with Department of Justice (DOJ) and Sentencers, which sets standards and procedures through which each order is managed and monitored.

### Prison Officers: Environmental Allowance

**Mr Easton** asked the Minister of Justice to detail the number of prison staff that are in receipt of the Environmental Allowance. **(AQW 24081/11-15)**

**Mr Ford:** There are no prison grades (uniform grades or governor grades) in receipt of an Environmental Allowance.

There are 615 prison grades who formerly received a Northern Ireland Prison Service Payment to reflect the special circumstances in which they worked. This was consolidated into salaries in 1994 (officers) and 2006 (governors) as part of a wider pay deal.

A Prison Environmental Allowance is paid to 279 non prison grades (general service and industrial grades) working in prison establishments, the allowance is for working in an adverse environment not normally associated with their profession or work and, where necessary, associating with prisoners.

### Prison Officers: Environmental Allowance

**Mr Easton** asked the Minister of Justice to detail the number of prison staff that are not in receipt of the Environmental Allowance. **(AQW 24082/11-15)**

**Mr Ford:** At 31 May 2013, staff in uniform grades and governor grades in the Northern Ireland Prison Service totalled 1604. There are no prison grades currently in receipt of an Environmental Allowance. 615 staff formerly received a Northern Ireland Prison Service Payment to reflect the special circumstances in which they worked. This was consolidated into salaries in 1994 (officers) and 2006 (governors) as part of a wider pay deal.

At 31 May 2013, staff in non prison grades in the Northern Ireland Prison Service totalled 499. Of these staff, 220 are not in receipt of the Prison Environmental Allowance. 279 are in receipt of the Prison Environmental Allowance for working in prison

establishments. The allowance is for working in an adverse environment not normally associated with their profession or work and, where necessary, associating with prisoners.

### Central Investigation Service

**Mr Swann** asked the Minister of Justice, considering the nature of the work completed by the Central Investigation Service (CIS) and the diversity of its clients, for his assessment of whether the CIS is best placed within the Department of Agriculture and Rural Development.

**(AQW 24114/11-15)**

**Mr Ford:** I am content that the Central Investigation Service is best placed within the Department of Agriculture and Rural Development.

### Legal Services Commission: Pay Progression

**Mr Allister** asked the Minister of Justice, pursuant to AQW 23443/11-15, given that up to five years from 2009 may elapse before staff in the Northern Ireland Legal Services Commission could receive payment of pay progression and any increase, whether he would consider a request from the Northern Ireland Legal Services Commission to process a payment to staff to address the financial hardship they are experiencing, as an interim measure.

**(AQW 24133/11-15)**

**Mr Ford:** In accordance with Department of Finance and Personnel's (DFP) guidance, Departments must ensure that pay commitments are not entered into prior to appropriate approval by the Finance Minister having been secured.

My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

### Legal Services Commission: Legal Advice

**Mr Allister** asked the Minister of Justice, pursuant to AQW 23404/11-15, to outline why the legal advice obtained by the Northern Ireland Legal Services Commission from the Departmental Solicitors Office in January 2013 is available to Northern Ireland Legal Services Commission staff, but that legal advice received since then has been withheld from staff, given that the rules of legal privilege have not altered.

**(AQW 24135/11-15)**

**Mr Ford:** I am advised that the legal advice received by the Northern Ireland Legal Services Commission in January 2013 was not made available to all Commission staff.

The release of this information, covered by legal profession privilege, was restricted to the small group of Commission staff directly involved in the preparation of the pay strategy business case.

In order to update staff on progress with the Pay Strategy Business Case, a general overview of key issues impacting on progress was provided to staff. This update referred to the impact of legal advice received but did not provide detailed information contained therein.

The Commission continues to update staff on progress on the pertinent issues relating to the Pay Strategy Business Case.

### Door Supervisor Licences: Tar Anall

**Mr Allister** asked the Minister of Justice how many people have been awarded Security Industry Authority Door Supervisor Licences on applications supported by Tar Anall.

**(AQW 24184/11-15)**

**Mr Ford:** Applications to the Security Industry Authority (SIA) are made by individuals. While it is possible that an applicant received assistance in submitting an application, the SIA would not be aware of this.

### Door Supervisor Licences: Criteria

**Mr Allister** asked the Minister of Justice to detail (i) the procedures whereby someone convicted of offences for which a life sentence has been imposed can subsequently be granted a Security Industry Authority Door Supervisor Licence; and (ii) the consultative involvement of law enforcement agencies.

**(AQW 24185/11-15)**

**Mr Ford:** All applications for licences from the Security Industry Authority (SIA) are subject to the licensing criteria which are set out in its "Get Licensed" document which is approved by the Home Secretary, in consultation with the devolved administrations. The current version of "Get Licensed" is available at [http://www.sia.homeoffice.gov.uk/Documents/licensing/sia\\_get\\_licensed.pdf](http://www.sia.homeoffice.gov.uk/Documents/licensing/sia_get_licensed.pdf)

Licence applications are subject to a criminality check, which involves the SIA receiving a standard disclosure from the relevant authority. With regards to applicants from Northern Ireland, the SIA requests disclosure from AccessNI.

When considering the criminal records for all licence applications, the SIA reviews the relevance, seriousness, recency and the disposal of each offence.

The consultative involvement of law enforcement agencies is a matter for the regulator. You may therefore wish to direct this part of your question to the Chief Executive of the SIA.

### **Legal Services Commission: HR Staff**

**Mr Allister** asked the Minister of Justice, pursuant to AQW 22734/11-15 to detail (i) whether the employment of 6 staff in Human Resources by the Northern Ireland Legal Services Commission is proportionate to the staff complement of 148; (ii) the 12/13 salary costs for the staff complement; (iii) the salary cost for the 6 Human Resources staff; and (iv) the percentage of the total salaries accounted for by the 6 Human Resources staff.

**(AQW 24186/11-15)**

**Mr Ford:** As a Non Departmental Public Body, the Northern Ireland Legal Services Commission determines its own staffing requirements to meet its operational need, ensuring that staffing complement across the Commission falls within its operating budget.

Total unaudited salary costs for NILSC Staff Complement for 2012/13 were £4,112,493.

Unaudited salary costs for NILSC Human Resources Department for 2012/13 were £211,052.

The percentage Human Resources salary costs in relation to overall total staff complement costs were 5.13%.

### **Legal Services Commission: Staff on Fixed-term Contracts**

**Mr Allister** asked the Minister of Justice to detail (i) the number of staff that are employed by the Northern Ireland Legal Services Commission on fixed-term contracts, indicating employment start dates and grade; and (ii) if it is intended to continue employment of these staff members beyond the four year anniversary thereby making them permanent employees.

**(AQW 24188/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission employs staff on a fixed term contract. Details have been withheld as disclosure would be contrary to the Data Protection Act 1998.

### **Lay Magistrates: Breach of Postal Security**

**Mr Copeland** asked the Minister of Justice whether he is aware of a breach of security in the postal correspondence sent out identifying Lay Magistrates; and what action will be taken to address this issue.

**(AQW 24304/11-15)**

**Mr Ford:** I was advised of this breach on 12 June as soon as it was discovered. The breach occurred as a result of an administrative error within the Youth Justice Agency. The Chief Executive of the Agency has written to all Lay Magistrates apologising for any unease this may have caused them. Advice on security has been given to the Lay Magistrates and the PSNI has been advised of the incident.

As soon as officials were notified of this breach, an investigation was launched. The matter was reported to my Departmental Security Branch and Departmental Information Management Branch who are responsible for security and data protection compliance issues. It has also been referred to the Information Commissioner's Office. Officials in Security Branch are now carrying out an investigation into the circumstances surrounding this incident.

The Youth Justice Agency is taking all necessary steps to ensure this will not happen again. Officials in the Agency have been reminded of the Department's procedures regarding data handling and appropriate action will be taken where necessary once the outcome of the investigation is known.

## **Department for Regional Development**

### **A26: Dualling of the Drones Road**

**Mr McKay** asked the Minister for Regional Development what is the earliest date that work could begin on the A26 dualling of the Drones Road; and how much is this projected work to cost.

**(AQW 23365/11-15)**

**Mr Kennedy (The Minister for Regional Development):** Subject to the outcome of the Public Inquiry, the availability of funding and successful procurement, it could be possible to commence construction of the A26 in autumn 2014.

The current projected cost of dualling the A26 between Glarryford and the A44 Drones Road is in the range of £50 - £70 million.

Following the recent Court ruling on the A5 scheme, I wrote to the Finance Minister on 9 May 2013, to declare a reduced budget requirement in relation to the 2013/14 year. I have also provided options to the Finance Minister for other major road schemes that could be started in that financial year. The dualling of the A26 from Glarryford to Drones Road is one of these schemes.

I await Executive consideration of these issues.

### Translink Trains: Wi-Fi Service

**Mr Dunne** asked the Minister for Regional Development if has he any plans to improve the Wi-Fi service which is available on Translink trains.

**(AQW 23853/11-15)**

**Mr Kennedy:** Since October last year, all of the trains operating on the railways network have been equipped with Wi-Fi.

Translink estimate that 15-20% of passengers use free Wi-Fi on board local NIR trains, and 25-30% of passengers on Enterprise services are using this monthly.

I can advise that Translink will continue to review the success of Wi-Fi on both trains and buses.

### A5: Habitats Directive

**Mr Ó hOisín** asked the Minister for Regional Development, given that the Habitats Directive was crucial to the A5 road scheme, what consideration has been given to other roads projects, such as the A6, which may be similarly impacted by the Directive.

**(AQW 23919/11-15)**

**Mr Kennedy:** The Habitats Directive decision in relation to the A5 was made during the ministerial tenure of my predecessor. I can, however, confirm my Department embraces the EU Habitats Directive when designing highway schemes.

All schemes within the Roads Programme, including the two proposed A6 schemes, Randalstown to Castledawson and the Londonderry to Dungiven scheme, are subject to an Assessment of Implications on European Sites (otherwise known as Habitats Regulations Assessment). This is required by law to inform the decision-making process when the proposed scheme may have a significant effect on a Natura 2000 site.

In addition to the normal consultation with the relevant statutory bodies, specialist advice will be taken as to the implications of the recent court ruling on the A5 dual carriageway project, for other schemes in the Roads Programme.

### Ulsterbus/Metro/Northern Ireland Railways: Reserves

**Mr Ó hOisín** asked the Minister for Regional Development to detail the reserves held by (i) Ulsterbus; (ii) Metro; and (iii) Northern Ireland Railways, in each of the last three years.

**(AQW 23920/11-15)**

**Mr Kennedy:** The reserves held by (i) Ulsterbus; (ii) Metro; and (iii) Northern Ireland Railways, in each of the last three years are set out in the table below:

	As at 25/03/12 £000s	As at 27/03/11 £000s	As at 28/03/10 £000s
Ulsterbus	8,641	732	22,773
Metro	4,009	1,177	8,317
NIR	-8,185	-12,347	1,471

The above figures represent the sum of all the assets and liabilities of each respective company, taken directly from the audited subsidiary accounts for 2011/2012 produced in line with International Accounting Standards. It should be noted that the total of the 3 figures will differ from the position in the Group's Annual Report and Accounts which includes the holding company.

The level of reserves is an accounting concept, it is not the same as cash held and they are not available for general spending. They represent the net worth of a company in line with agreed accounting policies used. These figures take account of long term liabilities such as pensions and capital grants made to the companies by government.

### Primary Schools: Rural Transport

**Mr McNarry** asked the Minister for Regional Development whether he plans to raise any concerns with the Minister of Education on the proposals to close some rural primary schools, following the public consultation on draft area plans for primary provision which ended on 1 June 2013.

**(AQW 23964/11-15)**

**Mr Kennedy:** School transport services provided by Translink are mostly used by secondary school pupils. Translink has advised me that should there be changes in the use of school transport, it will adjust service levels accordingly.

### Enterprise Train: Carriages/Seating Capacity

**Mr D Bradley** asked the Minister for Regional Development to detail the average number of carriages and the seating capacity on each Enterprise train between 2001/2002 and 2011/2012.

**(AQW 23977/11-15)**

**Mr Kennedy:** I can advise you that Translink have confirmed that the Enterprise standard train formation comprises:

- 4 x Standard Class carriages
- 1 x Catering Car
- 2 x First Plus carriages

This provides a total passenger capacity of 361 seats.

This standard formation would have been in operation for the majority of the period covered. However to note there were occasions within the period 2001/02 to 2011/2012 that some Enterprise trains operated with 5 x standard class coaches instead of 4 providing a total passenger capacity of 432 seats. In addition, there are some occasions (estimated to be less than 1%) when Translink will, if necessary, substitute with Class 3000 trains or Iarnród Éireann will substitute with Class 2900 trains. These have not been included in the average figures above.

### Rail Passengers: Portadown/Lisburn

**Mr D Bradley** asked the Minister for Regional Development whether the number of customers who use the train service from (i) Portadown and Lisburn to Belfast; and (ii) Belfast to Lisburn and Portadown are included in the total number of passengers for (i) the Enterprise rail service or (ii) Translink's Portadown service.

**(AQW 23979/11-15)**

**Mr Kennedy:** I can advise that Translink has confirmed that in 2012/13, 3,450,000 passengers used NI Railways' services between Newry-Portadown-Lisburn and Belfast. This number is based on ticket sales data analysis and excludes passengers making cross-border journeys. Individuals booking tickets between Newry-Portadown-Lisburn to Belfast count as part of local service journeys.

### Enterprise Train: Online Tickets

**Mr D Bradley** asked the Minister for Regional Development if Translink plans to introduce a facility to enable customers who purchase Enterprise standard tickets online the opportunity to reserve a seat free of charge.

**(AQW 23980/11-15)**

**Mr Kennedy:** I can advise that Translink has confirmed that at present the Enterprise service is a 'walk up, walk on' service and demand for a reservation facility has not been strongly expressed. Therefore there are currently no plans to introduce a facility to enable customers who have purchased Enterprise standard tickets online to reserve a seat free of charge.

Seat reservations are available in First Plus and for groups.

### Translink: Online Tickets

**Mr D Bradley** asked the Minister for Regional Development if Translink plans to introduce a facility to book online and print tickets at home rather than receiving them through the post.

**(AQW 23981/11-15)**

**Mr Kennedy:** I can advise that Translink has confirmed that currently passengers booking tickets online have the option to have the ticket posted or to collect at station. Print at home options are also currently being explored.

### Enterprise Train: iLink Tickets

**Mr D Bradley** asked the Minister for Regional Development whether Translink plans to introduce a facility to enable customers to purchase Enterprise rail service tickets using an i link card.

**(AQW 23985/11-15)**

**Mr Kennedy:** I can advise you that Translink have confirmed that at present the iLink ticket is for use in Northern Ireland only. There are currently no plans to introduce this facility for customers wishing to purchase an Enterprise rail service ticket.

### G8: On-street Parking Restrictions in Fermanagh and Belfast

**Mr Ross** asked the Minister for Regional Development to outline the restrictions to on-street parking in (i) Fermanagh; and (ii) Belfast that will be in place during the G8 Summit and the effects this will have on local businesses.

**(AQW 24007/11-15)**

**Mr Kennedy:** My Department does not intend to introduce additional on-street parking restrictions in either Belfast or Fermanagh during the G8 Summit.



However, during the Summit period, it is possible that the PSNI will impose temporary additional parking/waiting restrictions at some locations. These will be managed by the PSNI and marked by the placing of 'Police – No Waiting' traffic cones.

### **Pedestrian Crossings: Poleglass**

**Mr Agnew** asked the Minister for Regional Development for his assessment of the number of pedestrian crossings in Poleglass; and whether he has any plans to develop new crossings for pedestrians in this area.

**(AQW 24019/11-15)**

**Mr Kennedy:** My Department currently has three stand-alone controlled pedestrian crossings in Poleglass. At present, there are no plans to install further crossings in this area but this will be kept under review.

### **Street Lighting: Poleglass**

**Mr Agnew** asked the Minister for Regional Development for his assessment of the street lighting in Poleglass; whether (i) the present provision of street lighting is deemed adequate for the safety of pedestrians at night; and (ii) he has any plans to increase the provision of street lighting in the area.

**(AQW 24020/11-15)**

**Mr Kennedy:** The street lighting units in Poleglass are inspected on a routine basis and any defects noted are processed for repair. All new street lighting schemes are designed in accordance with the relevant British Standards and are therefore deemed to fully satisfy the needs of all road users.

It is recognised that some of the lighting has been there for many years and may not meet today's standards for modern lighting schemes. As such, officials have identified areas within Poleglass, such as Glenwell and Laurelbank, where some minor upgrades are required. I can confirm my Department proposes to include these particular areas within a works programme for replacement within the 2014/15 financial year.

### **Belfast Harbour Commissioners: Investment**

**Mrs D Kelly** asked the Minister for Regional Development why the £20 million investment from the Belfast Harbour Commissioners cannot be credited to his Department's budget, necessitating a bid in the June monitoring round; and why this was not understood after the initial meeting with the Commissioners in October 2012.

**(AQW 24050/11-15)**

**Mr Kennedy:** The Department's budget was set on the basis that £20m would be secured from Belfast Harbour Commissioners (BHC) in both 2013-14 and 2014-15. The Budget Review Group agreed that the Department should work collaboratively with BHC on release of value projects. Following detailed engagement between representatives of the Budget Review Group and BHC, in October 2012 it was agreed that BHC would take forward, from within its resources, proposals for investment in Foreign Direct Investment (FDI) accommodation. The first phase worth £10m is in progress with a second £10m phase to follow. Other potential projects to the value of £23m have also been identified.

BHC has started to progress the first phase, however there is no means of crediting this investment to the Department's budget – i.e. the investment will be made directly by BHC, benefiting the economy as a whole, but does not translate into income for the Department. As indicated above, as the Department's budget was established on the basis that the amounts would be credited to our budget, this has created a pressure which needs to be addressed by the Executive. This position was fully understood by the Budget Review Group when it took its decision in October 2012. When endorsing this approach, in January 2013, the Executive also agreed that the appropriate mechanism to address the financial pressure would be the in-year monitoring round – hence the bid in June Monitoring.

### **Train Services: Contingency Arrangements**

**Mr McClarty** asked the Minister for Regional Development to outline the (i) contingency arrangements put in place to transport passengers when train services are interrupted; (ii) maximum wait time for arrangements to be put in place to ensure that passengers arrive at their destination station within a reasonable time; and (iii) compensation available for passengers who miss appointments due to interrupted train services.

**(AQW 24054/11-15)**

**Mr Kennedy:** I can advise you that:

- (i) NI Railways operate a range of contingencies in the event of interrupted train services.

The first priority in every event is to protect the safety of passengers, staff and the public. Recovery plans and onward passenger travel arrangements will depend on the individual incident and circumstances, i.e. location, appropriate alternatives available by bus/train transfer.

- (ii) Maximum waiting time will be dependent on the circumstances of the event, as will the level of compensation.

As a minimum, NI Railways operate a "Delay Repay" compensation scheme which is set out in detail in the Passenger's Charter. This scheme is similar to that operated by many train companies in Great Britain and offers different levels of compensation based on the length of the delay:

(iii) -

- 30 – 59 minutes – half the cost of a single ticket or half of either part of a return ticket;
- 60 – 119 minutes – full cost of a single ticket or full cost of either part (the outward or the return part) of a return ticket; and
- delays of over 119 minutes – the cost of a return ticket for the journey even if only a single ticket was purchased.

You can see the full terms and conditions at: [www.translink.co.uk/delayrepay](http://www.translink.co.uk/delayrepay).

Cross-border services have their own compensation arrangements which can be found in the Enterprise Charter, also available on Translink's website.

### Roads: Repairs at Culcavy and Halftown

**Mrs Hale** asked the Minister for Regional Development how many times contractors carried out road repairs on the (i) Culcavy; and (ii) Halftown roads in (a) 2011/12; and (b) 2012/13.

**(AQW 24057/11-15)**

**Mr Kennedy:** The numbers of road repairs completed on the Culcavy Road and Halftown Road in 2011/12 and 2012/13 are detailed in the table below:

Road	Financial Year 2011/12	Financial Year 2012/13
Culcavy Road	129	114
Halftown Road	98	162

### Railway Stations: Bangor to Belfast

**Mr Weir** asked the Minister for Regional Development whether there are plans for work on railway stations on the Bangor to Belfast line.

**(AQW 24079/11-15)**

**Mr Kennedy:** I can advise you that there are currently 3 projects planned for stations on the Bangor line. These are:

Project Name	Est. Cost	Est. Finish
Seahill – Platform Ramps	£100,000	October 2014
Bangor Bus/Rail Station – Set-down area at front	£70,000	March 2014
Bangor Bus/Rail Station – Improvements to rear path and fencing	£30,000	March 2016

In addition, Translink is also in discussion with the Ulster Folk & Transport Museum at Cultra to operate, for a trial period, a railway Park & Ride using their existing facilities.

It should be noted that costs are at this stage estimates and completion dates are indicative; they will be firmed up on completion of business cases and when contracts are developed.

### Cycle Paths: Maintenance

**Mr Douglas** asked the Minister for Regional Development what measures are in place to ensure that cycle paths, and other provision for cyclists, are properly maintained and kept free of debris, including broken glass.

**(AQW 24084/11-15)**

**Mr Kennedy:** Article 8 of the Roads (Northern Ireland) Order 1993 places a duty on my Department to maintain all public roads in reasonable condition. The term 'road' includes all public adopted footways, cycle tracks, verges etc.

In recognition of its duty of care, my Department has put in place a set of Maintenance Standards for Safety, which are designed to ensure a consistent service level and a safe highway while offering value for money. These standards are based on best practice, research and consultation with both the public and other professional bodies and Industry.

The Safety Standards and procedures currently in operation establish frequencies for inspections and specify response times for the repair of defects. These systems and procedures are recognised and accepted by the courts as being appropriate given the finite level of funding available.

Surface defects identified outside of these inspection regimes will be dealt with according to same standards and remedial work arranged as necessary. If the relevant response time cannot be met, or is not appropriate, then my Department has the option of installing signs to warn road users of a possible danger.

Litter or other obstructions of this nature on the cycle lanes/tracks are usually detected during the routine maintenance inspections and the necessary action taken. However, in many instances these cycle routes/lanes do not belong to my Department and therefore, other parties have responsibility for their maintenance.

The following examples may help clarify the responsibility for maintaining cycle paths:

- Where the cycle track/lane belongs to my Department and runs along side a road then the responsibility for cleaning/sweeping lies with the local District Council. Article 7 of The Litter (NI) Order 1994 places responsibility for cleaning all roads on councils, with the exception of motorways and some designated roads which remain with my Department. Other general maintenance activities, such as patching and drainage etc. remain the responsibility of my Department.
- Where the cycle track/lane belongs to my Department but lies outside the area between the fence/hedge lines, interpreted as 'road' by the Roads (NI) Order, for example, the cycle tracks around the lakes in Craigavon, then all maintenance, including cleaning, is the responsibility of my Department.
- Where the cycle track/lane belongs to a third party, for example, the track along the M5, which is jointly owned by both Belfast and Newtownabbey Councils, then responsibility for all maintenance, including cleaning and other general maintenance activities, rests with the owners.

### Cycle Paths: Maintenance at Knocknagoney

**Mr Douglas** asked the Minister for Regional Development what maintenance or inspection has been carried out at the cycle underpaths at Knocknagoney, in the last three months.

**(AQW 24085/11-15)**

**Mr Kennedy:** Officials from my Department inspected the cycle underpaths on 21 March and 23 May 2013, and no defects were noted on either occasion. In addition, the grass in this area has been cut on two occasions.

### Enterprise Train: Fire

**Mr Dickson** asked the Minister for Regional Development to outline the cause of the fire on the Belfast to Dublin Enterprise train on 6 June 2013; and the action that is being taken to ensure that there is no recurrence.

**(AQW 24137/11-15)**

**Mr Kennedy:** The investigation into the cause of the fire is ongoing. The findings of that investigation will inform any necessary action to reduce the risk of any further recurrence.

As required under their Safety Management System NIR will commission their own inquiry into the matter. Engineers will investigate the cause of the fire on the locomotive and the inquiry team will also include representatives from Iarnród Éireann, given the shared nature of the Enterprise service, the fact that the train in question is an Iarnród Éireann vehicle and that all locomotives in the Enterprise fleet are maintained in the Iarnród Éireann engineering depot in Dublin. The Department has asked to be kept fully informed.

The Rail Accident Investigation Board have been informed and, while they have yet to decide if they will investigate directly, have indicated that they are content with the investigation now underway. The Health & Safety Executive have also indicated that they will carry out an investigation into the incident and they have been briefed by Translink on the incident.

I recognise that this was a very distressing situation for all passengers concerned and I am very relieved that no-one was injured. I attended the scene of the incident and I have met with officials and Translink staff. The safety of the public remains our key priority. The response from the train crew, Translink's response teams and emergency services was excellent.

### Bus Service: Foyle

**Mr Durkan** asked the Minister for Regional Development whether his Department intends to establish an improved bus service to and from the city centre and the Culmore area of Foyle.

**(AQW 24212/11-15)**

**Mr Kennedy:** Currently the Lough Swilly Bus Company operates a service along this route. We partly fund this under the Rural Transport Fund. My officials will be meeting with the company in the coming weeks regarding the level of service provision from the city centre to the Culmore area.

### A6: Dualling Project

**Mr Mitchel McLaughlin** asked the Minister for Regional Development how many objections have been received to the 4.8km stretch of the A6 Dualling Project by-passing Dungiven and on the remainder of the Dualling Project.

**(AQO 4329/11-15)**

**Mr Kennedy:** My Department has received 34 objections relating to the Dungiven By-pass part of the A6 dualling scheme.

A further 88 objections and 11 representations have been received relating to the remainder of the A6 Londonderry to Dungiven scheme.

## Parking Tickets: County Londonderry

**Mr Campbell** asked the Minister for Regional Development how many Penalty Charge Notices were issued in the towns of Coleraine, Limavady, Portstewart, Portrush and Dungiven, in each of the last two years.

**(AQO 4317/11-15)**

**Mr Kennedy:** Mr Speaker, rather than read out a long list of numbers, I have placed the details in the Library.

In terms of the detail, I would highlight that parking control is important to help reduce congestion, improve road safety and improve access to town centres. My Department's parking policy is fundamentally about ensuring a turnover of spaces, and thus freeing up available spaces for shoppers and visitors which would otherwise be blocked by all day parkers. Such an approach is important to the viability of towns as shopping locations.

We are being successful – the numbers of PCNs issued across Northern Ireland in 2012/13 have reduced by 16,526 which represents a decrease of some 13% from the previous year. The figures for Limavady, Portstewart and Portrush reflect this decrease in PCN numbers. While Coleraine figures show an increase in the number of PCNs due to the addition of 610 new Pay and Display spaces in 2012-13, on a like for like basis, not including the impact of these additional spaces, the position for Coleraine is a 22% decrease for 2012-13.

## Flags: Removal

**Mr McCarthy** asked the Minister for Regional Development to outline who is liable for damage or injury caused by the removal of flags from lamp posts and other street furniture.

**(AQO 4324/11-15)**

**Mr Kennedy:** I do not condone or support the unauthorised use of my Department's lamp posts, street furniture or other property.

Experience has shown that removal of flags in the absence of widespread support simply worsens the situation, with even more flags being displayed. My Department must also take account of the risks to its employees involved in removing flags where agreement has not been reached.

However, under the current Joint Protocol on the Display of Flags in Public Areas when called upon by the lead Agency, my officials will where necessary provide the access equipment and resources to remove unwanted flags.

Liability for damage or injury caused by the removal of flags from lamp posts and other street furniture lies with the persons who remove the flags. However, the Member will appreciate that the necessary evidence to pursue such liability may not always be available.

## A5: Funding Reallocation

**Mr Allister** asked the Minister for Regional Development what success he has had in retaining money previously allocated for the A5 road project within the roads budget.

**(AQO 4325/11-15)**

**Mr Kennedy:** Following the recent Court ruling on the scheme, I wrote to the Finance Minister on 9 May 2013, to declare a reduced budget requirement in relation to the 2013/14 year.

In parallel with this, I highlighted alternative areas of spend in my Department to which this money could be reallocated, all of which would provide support to the construction sector and the local economy at this most difficult time.

Looking forward, there will be implications for 2014-15 allocation and I have provided options to the Finance Minister for other major road schemes that could be started in that financial year given the substantial delay in respect of the A5 project.

I await Executive consideration of these issues.

## Roads: Maintenance Budgets

**Mr Irwin** asked the Minister for Regional Development, in light of the recent under investment in roads maintenance, what plans does he have to increase the maintenance budgets available to Roads Service for road network repairs.

**(AQO 4326/11-15)**

**Mr Kennedy:** It is currently estimated that £130 million per annum is needed to maintain the structural integrity of Northern Ireland's 15,500 miles of road network.

The structural maintenance budget for 2013/14 is around £62 million, leaving a shortfall of some £68 million. I made a bid in June monitoring to meet this shortfall and I hope that the member, and indeed the House, will support this bid.

I can assure you that I will continue to make strong bids for additional structural maintenance funds when necessary.

### Signs: “Welcome to Northern Ireland”

**Ms Fearon** asked the Minister for Regional Development how much has been spent on erecting and replacing Welcome to Northern Ireland signs.

**(AQO 4327/11-15)**

**Mr Kennedy:** My Department has spent approximately £15,300 erecting and replacing ‘Welcome to Northern Ireland’ signs.

Such signs provide a very useful message to all road users who are not from this area. From a road safety perspective they inform the road user that the speed limits change to miles per hour, and from a tourist and visitor perspective they confirm that there is a change of jurisdiction. This is helpful for visitors, particularly in terms of currency, mobile phone use and, visa requirements for those from outside the European Union. My own view is that we would not be very good hosts if we did not welcome visitors to our country.

### Glen Road, Derry: Traffic-calming Island

**Mr Durkan** asked the Minister for Regional Development whether he has evaluated the effectiveness of the traffic calming island installed on the Glen Road, in the Derry City Council area.

**(AQO 4328/11-15)**

**Mr Kennedy:** I remain committed to improving road safety and reducing the number of people killed and seriously injured on our roads. Traffic calming is a key element of my Department’s road safety programmes

The traffic calming scheme on the Glen Road in Londonderry includes a number of islands. Since the scheme was introduced in March 2011, there have been no recorded collisions involving personal injury and a reduction in vehicle speeds has been observed. This compares to two personal injury collisions being recorded in the year before introduction of the scheme.

In these circumstances, it is considered that the traffic calming measures installed on the Glen Road have been effective.

### A5: Conservation Areas

**Mr McKay** asked the Minister for Regional Development when will he make an appropriate assessment in respect of the report he commissioned on the impact of the proposed A5 Western Transport Corridor on the special areas of conservation and proposed mitigation measures.

**(AQO 4330/11-15)**

**Mr Kennedy:** During the tenure of my predecessor, a screening exercise, as allowed by the Habitats Directive, was carried out on behalf of the Department. The findings of the screening exercise were issued to the two relevant statutory bodies, the Northern Ireland Environment Agency (NIEA) and the Republic of Ireland’s National Parks and Wildlife Service. Both these bodies expressly agreed with the findings. The screening exercise concluded that given the outcome a full Appropriate Assessment was not required.

The Appropriate Assessment process for the A5 project has commenced and I expect to receive the report within the next 2 months. This will allow me to carry out an initial assessment of its content and conclusions.

I have also asked for a third party review of the project consultant’s work in respect of the entire Appropriate Assessment process. This review will include the scope of the report to inform the Appropriate Assessment, as well as an overview of the Environmental Statement. The findings of this report will also assist my deliberations.

A public consultation exercise on the report to inform the Appropriate Assessment process is expected to commence in late summer 2013. If this consultation and the third party review do not raise any issues, I would be in a position to complete the Appropriate Assessment in about 4 months’ time.

However, if issues emerge from either the public consultation and/or the review which require a public inquiry, then my completion of an Appropriate Assessment will take a further 12 months. This additional time would be required to arrange and hold the public inquiry and await and consider the Inspector’s report.

### A4: TEN-T

**Ms McGahan** asked the Minister for Regional Development what impact the removal of the N16 from the TEN-T Comprehensive Road Network could have on the A4.

**(AQO 4331/11-15)**

**Mr Kennedy:** I am delighted to confirm that, as a direct consequence of my personal intervention, my counterpart in the Republic of Ireland has withdrawn the proposal to remove the N16 from the Republic of Ireland’s TEN-T Comprehensive Road Network. This avoids any adverse implications for the A4 in Northern Ireland.

## Department for Social Development

### Special Advisers: DSD Spend

**Mr Allister** asked the Minister for Social Development how much his Department has spent on Special Advisers since May 2007, broken down by (i) salary; (ii) pension contributions; (iii) expenses; (iv) office costs; and (v) other costs.

**(AQW 1004/11-15)**

**Mr McCausland (The Minister for Social Development):** The Department is subject to the Data Protection Act in the disclosure of remuneration details of civil servants other than in broad terms. The information which is provided below has therefore had regard to Data Protection considerations.

- (i) The table below sets out the minimum and maximum of the pay scales for Special Advisers within the Department for Social Development during the period from May 2007 to 31 March 2013.

#### Salary Range

Year	Minimum	Maximum
2007/08	£56,100	£78,540
2008/09	£57,300	£79,740
2009/10	£57,300	£82,531
2010/11	£57,300	£82,531
2011/12	£57,300	£90,000
2012/13	£57,873	£90,900

- (ii) Employer's pension contributions were paid over at a rate of 21½% in the period from May 2007 to 31 March 2010 and at a rate of 23½% in the period from 1 April 2010 to 31 March 2013.
- (iii) Expenses paid to Special Advisers in the period from May 2007 to 31 March 2013 totalled £8,927.
- (iv) There were no incremental office costs as a result of Special Advisers using existing NICS DFP provided accommodation.
- (v) Other costs in the period from May 2007 to 31 March 2013 totalled £65,897 and include Employer's National Insurance Contributions, Data Card and telephony costs.

### Special Advisers: Pay Band

**Mr Allister** asked the Minister for Social Development whether his Special Adviser is paid within Band A or Band B of the Department of Finance and Personnel's salary scale; and, if it is within Band B whether, in light of the DFP decision to increase the upper limit of the Band B scale to £90,000, there has been an increase in salary or an increase is planned.

**(AQW 2105/11-15)**

**Mr McCausland:** The Special Adviser within the Department is paid within Band B of the Department of Finance and Personnel's salary scale. There was no pay increase made in light of the change in the upper limit of the Band B scale to £90,000.

### Unanswered Questions: AQW 1004/11-15 and AQW 2105/11-15

**Mr Allister** asked the Minister for Social Development, in relation to Standing Order 20 (B) which states that a written answer 'shall' be answered by the end of ten working days after it is published, (i) why AQW 1004/11-15 and AQW 2105/11-15 have not been answered; and (ii) to provide answers to these questions.

**(AQW 3568/11-15)**

**Mr McCausland:** I would advise the Member that AQW 1004/11-15 and AQW 2105/11-15 have been answered.

### Fuel Poverty: Funding

**Mr Maskey** asked the Minister for Social Development to detail the level of funding attributed to each of the fuel poverty programmes his Department has had responsibility for in the last five years; and to explain the rationale behind each of the varying levels of funding.

**(AQW 23831/11-15)**

**Mr McCausland:** The Warm Homes Scheme is my Department's primary tool in tackling fuel poverty and the funding for the past 5 years is:

2009/2010	£20.75m
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2010/2011	£20.5m
2011/2012	£15.023m
2012/2013	£15.95m
2013/2014	£16.0m

£12million was allocated by DFP to my department to deliver the Boiler Replacement Scheme; this budget is £4 million per year over the remainder of this CSR period. An additional £6million has been secured from the European Regional Development Fund, which brings the total budget available for boiler replacement to £18 million.

All the budget allocations including Warm Homes are agreed by the NI Executive during the Comprehensive Spending Review. The last CSR finished in 2010/11 and the allocation for Warm Homes was lower than the amount of funding which DSD had requested. Minister Attwood at the time increased this allocation by redirecting funding from other budget allocations.

### Social Security Agency: Recruitment

**Mr Campbell** asked the Minister for Social Development, pursuant to AQW 22825/11-15, whether he will ensure that in future years, when significant numbers of people are due to be recruited to the Social Security Agency, that any recruitment disparity, compared to years when much smaller numbers are recruited, is closely examined to establish any reason for the difference in outcomes.

**(AQW 23898/11-15)**

**Mr McCausland:** Recruitment and promotion exercises for general service posts (i.e. administrators and managers) across the Northern Ireland Civil Service (NICS) are managed on a corporate basis by the Department of Finance and Personnel (DFP) through the HRConnect outsourced service.

On an annual basis, the Northern Ireland Research Agency (NISRA) produces an analysis of NICS recruitment competitions that includes equality information. From this report, DFP will identify disparities within the recruitment process and take any appropriate action. DFP use also data on recruitment to general NICS grades within triennial Article 55 reviews, and if this identifies a lack of fair participation in a grade, positive action advertising statements will be used to encourage applications from under-represented groups. The NICS also undertakes a number of outreach measures to address under representation as outlined at Section 1.8 of the NICS Recruitment and Procedures Manual (Version 13).

### Rent Arrears

**Mr Dallat** asked the Minister for Social Development to detail (i) the current level of rent arrears outstanding to (a) Northern Ireland Housing Executive; and (b) housing associations; and (ii) to state the period for which the arrears are outstanding.

**(AQW 23950/11-15)**

**Mr McCausland:** Table 1 below gives details of the Housing Executive tenants by the number of weeks in arrears as at 31 May 2013. The Housing Executive has advised that it is not possible to provide past tenant debt broken down in this format. Table 2 gives details of past tenant arrears by value as at 31 May 2013.

Table 3 below gives details of both past and current Housing Association tenant rent arrears by the number of weeks and value as at 31 May 2013.

**Table 1 - current Housing Executive tenant rent arrears by number of weeks**

No. of weeks	Value of rent arrears
0-4 weeks	£1,951,676.00
5-12 weeks	£2,544,771.00
12+ weeks	£6,951,543.00
<b>Totals</b>	<b>£11,447,990.00</b>

**Table 2 - past Housing Executive tenant rent arrears by value**

Band	Value of past rent arrears
£0 to £99	£50,753.00
£100 to £299	£230,762.00
£300 to £499	£206,035.00
£500 to £999	£536,586.00

Band	Value of past rent arrears
£1,000 to £1,999	£776,132.00
£2,000 to £2,999	£498,289.00
£3,000 to £3,999	£299,214.00
£4,000 to £9,999	£561,255.00
£10,000+	£88,684.00
	<b>£3,247,710.00</b>

**Table 3 – past and current Housing Association tenants rent arrears by number of weeks and value**

	(i) Total	(i) 0-4 weeks	(i) 5-12 weeks	(i) 12 weeks +
Abbeyfield & Wesley	£122,056.00	£107,846.55	£14,209.45	nil
Alpha	£98,852.15	£65,731.82	£4,842.20	£28,278.13
Apex	£1,687,002.24	£1,111,387.03	£138,773.85	£436,841.36
Ark	£86,619.00	£34,313.00	£11,131.00	£41,175.00
Broadway	£0.00			
Clanmil	£1,082,704.80	£648,394.32	£174,342.87	£259,967.61
Connswater	£420,657.96	£141,165.31	£144,400.63	£135,092.02
Covenanter	£0.00			
Craigowen	£0.00			
Filor	£37,247.08	£10,134.30	£7,345.97	£19,766.81
Flax	£59,516.66	£17,340.69	£19,714.36	£22,461.61
Fold	£302,400.95	£47,396.30	£40,013.51	£214,991.14
Gosford	£20,296.00	£16,636.00	£3,660.00	£0.00
Grove	£29,147.29	£11,352.62	£9,425.82	£8,368.85
Habinteg	£701,936.61	£276,585.23	£169,741.75	£255,609.63
Harmony Homes	£83,991.20	£44,522.76	£13,856.48	£25,611.96
Hearth	£19,700.00	£12,000.00	£2,700.00	£5,000.00
Helm	£2,181,958.00	£529,532.00	£430,793.00	£1,221,633.00
Newington	£76,556.00	£52,878.00	£9,132.00	£14,546.00
Oaklee	£646,285.00	£114,047.00	£72,985.00	£459,253.00
Open Door	£90,842.94	£48,900.22	£21,033.00	£20,909.72
Rural	£25,652.81	£9,423.44	£9,603.99	£6,625.38
Shac	£0.00			
South Ulster	£108,477.95	£65,347.33	£31,742.65	£11,387.97
St Matthews	£62,149.29	£22,859.61	£12,945.75	£26,343.93
Triangle	£91,540.00	£68,884.00	£10,576.00	£12,080.00
Trinity	£416,782.82	£195,610.63	£123,490.34	£97,681.85
Ulidia	£124,630.59	£28,273.13	£41,443.95	£54,913.51
<b>Total</b>	<b>£8,577,003.34</b>	<b>£3,680,561.29</b>	<b>£1,517,903.57</b>	<b>£3,378,538.48</b>

The majority of large rent arrears, for Housing Executive tenants, have not been caused by the non payment of rent but historically is due to tenants receiving Housing Benefit to which they were not entitled and thus creating an overpayment. The current Housing Benefit management system ensures that Housing Benefit overpayments are no longer transferred to tenants' rent accounts.



In relation to Housing Association rent arrears the figures include amounts that are “technical arrears”. These accrue because housing benefit is paid to the Housing Associations four weeks in arrears.

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### Social Housing: Void Properties

**Ms S Ramsey** asked the Minister for Social Development to detail (i) the number of void social housing properties in the Colin area of west Belfast; (ii) their location; (iii) the length of time they have been empty; and (iv) when they will be reallocated. **(AQW 23974/11-15)**

**Mr McCausland:** The Housing Executive has advised that they currently have 12 void properties within the Colin area of West Belfast, seven of which are in Poleglass and the other five are in Twinbrook. The table below gives details in relation to parts (ii) to (iv) of the question.

Location	Length of time empty	Reallocated
Glenbawn Place, Poleglass	From February 2013	Yes, awaiting completion of change of tenancy repairs
Woodside View, Poleglass	From March 2013	Yes, awaiting completion of change of tenancy repairs
Woodside Park, Poleglass	From March 2013	Offered but not accepted
Glenkeen, Poleglass	From April 2013	Offered but not accepted
Ardcaoin Ave, Poleglass	From May 2013	Offered but not accepted
Glenbawn Drive, Poleglass	From May 2013	Yes, awaiting completion of change of tenancy repairs
Glenwood View, Poleglass	From May 2013	Offered but not accepted
Aspen Park, Twinbrook	From March 2013	Yes, awaiting completion of change of tenancy repairs
Juniper Court, Twinbrook	From March 2013	Yes, awaiting completion of change of tenancy repairs
Aspen Park, Twinbrook	From April 2013	Offered but not accepted
Broom Park Heights, Twinbrook	From April 2013	Offered but not accepted
Almond Heights, Twinbrook	From May 2013	Offered but not accepted

In relation to Housing Association's they have a total of 24 properties void in the Colin area of West Belfast. The table below gives details of parts (ii) to (iv) of the question.

Location	Length of time empty	Reallocated
Cloona Manor	Boarded up following threat to tenants	No
Lagmore (17 properties)	Vacant on average of 33 weeks	Nine to be allocated by end of summer and other eight may not be lettable until November 2013
Sheltered Housing Scheme at Pembroke Loop Road (3 properties)	One since 3 June 2013 Two since late 2011	One to be let in the next few weeks. The other two are unlettable at present due to substantial repairs required
Stewartstown Road	27/05/2013	Unable to relet as structural work is required
Good Shepherd Court	27/05/2013	Unable to relet at present due to major dampness
Laurelbank	26/05/13	Due to be relet 19/08/13

### Fuel Poverty

**Ms Maeve McLaughlin** asked the Minister for Social Development whether he will introduce a pilot scheme, similar to the Kirklees Metropolitan Area scheme in Yorkshire, targeted at alleviating the fuel poverty of the 13 percent of the population who are most affected.

**(AQW 24044/11-15)**

**Mr McCausland:** My Department has recently completed an Achieving Affordable Warmth Area Based Pilot, in partnership with OFMdfM, DARD, the University of Ulster, NI Housing Executive and 19 local Councils. The aim of this unique approach was to deliver energy efficiency improvements to homes in small concentrated areas. The University of Ulster developed a sophisticated targeting tool which identified areas of poor housing and low incomes indicating a high prevalence of fuel poverty. A total of 2,145 households were comprehensively surveyed and assessed in terms of their actual levels of fuel

poverty and audited for eligibility to the Warm Homes Scheme. Approximately 1 in 2 houses contacted proved eligible for free energy efficiency measures under the Warm Homes Scheme and at least three-quarters of those contacted were in extreme or severe fuel poverty. The targeting system devised in this project is the most accurate area-based tool implemented thus far in the UK. Plans are being developed for a wider rollout of the area-based approach working with the 11 new council areas.

### Housing Executive: Redundancy Package

**Mr Allister** asked the Minister for Social Development to outline the leaving package of the former Deputy Chief Executive and Director of Corporate Services in the Northern Ireland Housing Executive, who left in March 2012.

**(AQW 24093/11-15)**

**Mr McCausland:** The Deputy Chief Executive / Director of Corporate Services left the Housing Executive on the basis of Voluntary Early Retirement/Voluntary Redundancy.

He received the pension entitlements from the Northern Ireland Local Government's Officers Superannuation Scheme (NILGOSC) appropriate to his contributions and length of service and a compensation payment of £97,296 from the Housing Executive.

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### Housing Executive: Travel Expenses

**Mr Allister** asked the Minister for Social Development to detail the cost of (i) flights; and (ii) accommodation incurred by the (i) Chairman; and (ii) vice Chairman of the Northern Ireland Housing Executive since they were appointed.

**(AQW 24094/11-15)**

**Mr McCausland:** The cost of the flights and accommodation incurred by the Chairman and Vice Chairman of the Northern Ireland Housing Executive since they were appointed to May 2013 are shown in the table below.

	Chairman	Vice Chairman
Flights	£4,407.92	£2,628.47
Accommodation	£2,209.00	£774.00
<b>Total</b>	<b>£6,616.92</b>	<b>£3,402.47</b>

### Street Trading Licences

**Mr I McCreagh** asked the Minister for Social Development whether stalls at parades and festivals in towns and villages require street trading licences.

**(AQW 24098/11-15)**

**Mr McCausland:** The legislation regulating street trading in Northern Ireland ( the Street Trading Act (Northern Ireland) 2001) provides that any person who wishes to trade from a stall must obtain a street trading licence from the district council for the area in which trading is to take place.

A temporary licence may be issued for special events such as parades and festivals.

Responsibility for the issue of licences rests with district councils.

### Employment and Support Allowance

**Mrs Dobson** asked the Minister for Social Development, pursuant to AQW 23545/11-15, whether the use of a claimant's National Insurance Contributions, paid in the last two complete tax years immediately prior to the benefit year in which their claim is made, for the purposes of determining entitlement to contribution-based Employment and Support Allowance provides a fair assessment of the claimant's current income; and what impact this method has on claims.

**(AQW 24115/11-15)**

**Mr McCausland:** Entitlement to contribution-based Employment and Support Allowance is determined on the meeting of particular national insurance contribution conditions as set out in the Employment and Support Allowance (Northern Ireland) Regulations 2008. The stipulation of the two year period of time over which contributions are paid in any tax year recognises and rewards recent proximity to the labour market. This provides a fair and equitable method of assessing entitlement to contribution-based Employment and Support Allowance.

It is not possible to determine the impact of this method on claims as the majority of those claimants that do not meet the contribution conditions will still qualify for income-related Employment and Support Allowance if their income and capital levels are low enough.

## Gas Heating: Limavady

**Mr G Robinson** asked the Minister for Social Development for a timeframe for the installation of gas to Drumachose Park, Limavady.

**(AQW 24151/11-15)**

**Mr McCausland:** The Drumachose Park gas heating scheme, for approximately 72 dwellings, is currently programmed with a start date of 19 August 2013 and the initial surveys are currently being carried out by the contractor. The start date is dependent on all relevant surveys being carried out.

## Randalstown: Regeneration

**Mr Kinahan** asked the Minister for Social Development whether he has considered providing funding for the new car park at the site of the former police station in Randalstown, as part of the town regeneration programme.

**(AQW 24165/11-15)**

**Mr McCausland:** My Department is one of a number of stakeholders involved in taking forward actions set out contained in the Randalstown masterplan. DSD is aware that a local regeneration community group recently purchased the former police station however the new owner has not contacted my Department to discuss their proposals for the site.

## Central Investigation Service

**Mr Swann** asked the Minister for Social Development whether his Department has used the Department of Agriculture and Rural Development's Central Investigation Service to investigate any actions or concerns in relation to the Northern Ireland Housing Executive.

**(AQW 24174/11-15)**

**Mr McCausland:** My Department has never used the Department of Agriculture and Rural Development's Central Investigation Service to investigate any actions or concerns in relation to the Northern Ireland Housing Executive.

## Gas Heating: Housing Executive Properties

**Mr McKay** asked the Minister for Social Development how many Housing Executive houses in each district avail of the gas network.

**(AQW 24182/11-15)**

**Mr McCausland:** The table below details the number of Housing Executive properties that have gas central heating in each of their district office areas.

NIHE District Office	Properties with Gas
Antrim	973
Armagh	188
Ballycastle	0
Ballymena	690
Ballymoney	246
Banbridge	214
Bangor	1,690
Carrickfergus	1,360
Castlereagh	2,045
Coleraine	248
Collon Terrace	607
Cookstown	1
Downpatrick	11
Dungannon	2
East Belfast	2,499
Fermanagh	0
Larne	745
Limavady	197

<b>NIHE District Office</b>	<b>Properties with Gas</b>
Lisburn Antrim Street	2,435
Lisburn Dairyfarm	1,540
Lurgan Brownlow	372
Magherafelt	3
Newry	297
Newtownabbey 1	1,412
Newtownabbey 2	1,313
Newtownards	1937
North Belfast	4,767
Omagh	3
Portadown	438
Shankill	2,697
South Belfast	3,216
Strabane	2
Waterloo Place	646
Waterside	688
West Belfast	3,886
<b>Total</b>	<b>37,368</b>

### **Housing Executive: Occupancy Rates in North Down and Newtownards**

**Mr Weir** asked the Minister for Social Development to detail the occupancy rates for Housing Executive units in (i) North Down; and (ii) Newtownards.

**(AQW 24192/11-15)**

**Mr McCausland:** At 31 May 2013 the Housing Executive had 6,520 properties within their Bangor and Newtownards local office areas. Of these, 106 properties were vacant; with 35 in a lettable condition. The remainder were vacant for a variety of reasons such as undergoing repairs or decanting of tenants.

The table below details the breakdown of vacant stock by the various Housing Executive local offices in question.

<b>Local Office area</b>	<b>Total Stock</b>	<b>Tenanted Stock</b>	<b>Total Vacant</b>
Bangor	2,660	2,613	47
Newtownards	3,860	3801	59
<b>Total</b>	<b>6,520</b>	<b>6,414</b>	<b>106</b>

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### **Housing: Supported People Funding**

**Mr Durkan** asked the Minister for Social Development which service providers are at risk of losing Supported People Funding because they will be registered with the Regulation and Quality Improvement Authority.

**(AQW 24211/11-15)**

**Mr McCausland:** The Regulation and Quality Improvement Authority are responsible for the regulation and inspection of Registered Care Homes which are the statutory responsibility of DHSS&PS and Domiciliary Care services that can be delivered to supported living schemes. If the Regulatory authority decides that a supported living housing scheme should be registered as a Residential Care Home it becomes the responsibility of DHSS&PS to determine funding requirements.

The Regulation and Quality Improvement Authority and relevant trusts hold the information required in relation to all decisions regarding registration.

## Parental Carers

**Mr Hussey** asked the Minister for Social Development for an estimate of the number of people in each constituency with complex care and learning difficulties who are being cared for by their parents.

**(AQW 24222/11-15)**

**Mr McCausland:** My Department does not hold this information.

## Carers Allowance

**Mr Hussey** asked the Minister for Social Development to detail the total sum spent on the Carers Allowance in each of the last five years.

**(AQW 24223/11-15)**

**Mr McCausland:** The total sum spent in the Carers Allowance in each of the last five years is detailed below.

Financial Year	Spend (£'000)
2012-13	£123,588
2011-12	£111,219
2010-11	£103,573
2009-10	£97,999
2008-09	£90,401

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## Carers Allowance

**Mr Hussey** asked the Minister for Social Development how many people are in receipt of the Carers Allowance; and how many are providing care for a (i) child; (ii) sibling; and (iii) parent.

**(AQW 24224/11-15)**

**Mr McCausland:** At February 2013, there were 38,570 people in receipt of Carer's Allowance. Information is not held by my Department on the breakdown of care provision requested.

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## Cavity Wall Insulation: Castlereagh

**Mr Lyttle** asked the Minister for Social Development whether the cavity wall insulation schemes scheduled to take place in Northern Ireland Housing Executive properties in Castlereagh will be completed on schedule.

**(AQW 24279/11-15)**

**Mr McCausland:** The Housing Executive does not have any cavity wall insulation schemes scheduled to take place in Castlereagh.

## Ballymoney Roadshow: Non-financial Sponsor

**Mr Swann** asked the Minister for Social Development, pursuant to AQW 24075/11-15, how the non-financial sponsor of the Ballymoney Roadshow was selected.

**(AQW 24305/11-15)**

**Mr McCausland:** No selection process was involved.

Cllr Mervyn Storey, MLA, advised the Department that he was planning to hold a benefit uptake event following his recent attendance at the Pensioner's Parliament.

This provided an ideal opportunity for the Department to test a delivery model for the first Maximising Incomes & Outcomes Community Road Show event in the Ballymoney Council area. As part of my Department's ongoing commitment to improving benefit uptake, a Road Show event will be delivered in every council area throughout Northern Ireland over the next 3 years.

## Housing Executive: Home Improvement Grants

**Mr P Ramsey** asked the Minister for Social Development how many grants for home improvements the Housing Executive has issued in the last year, broken down by amount.

**(AQW 24309/11-15)**

**Mr McCausland:** The breakdown for grant approvals in the financial year 2012/13 is detailed in the table below.

Grant type	<£1k	£1k - £5k	£5k - £10	£10k - £15k	£15k - £20k	£20k - £25k	> £25k	Total
Disabled Facilities	27	675	146	94	45	68	152	1,207
Home Repair Assistance	5	37	0	0	0	0	0	42
Renovation	1	7	12	8	9	18	0	55
Replacement	0	0	0	0	0	0	8	8
<b>Total</b>	<b>33</b>	<b>719</b>	<b>158</b>	<b>102</b>	<b>54</b>	<b>86</b>	<b>160</b>	<b>1,312</b>

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Campbell Tickell

**Mr Allister** asked the Minister for Social Development (i) whether the consultancy firm Campbell Tickell has been appointed to independently review the alleged overpayments of £18m to four Northern Ireland Housing Executive (NIHE) contractors; (ii) who made this appointment; (iii) whether a Board member of NIHE, that was appointed by the Minister, Gregory Lomax, is an associate in Campbell Tickell; (iv) what was the procurement process followed in the appointment of Campbell Tickell; (v) if the Board of NIHE was involved in the appointment did Mr Lomax declare an interest; (vi) what are the terms of reference for the Campbell Tickell investigation; and (vii) what period they will investigate.

**(AQW 24342/11-15)**

**Mr McCausland:** The Housing Executive has advised that Campbell Tickell has been appointed to independently review the alleged overpayments. Campbell Tickell has been appointed by the Board of the Housing Executive. The Board member Gregory Lomax is an associate in Campbell Tickell. The procurement process followed was in line with the appropriate procurement guidance for the direct award of contracts and the use of consultants. In relation to 'if the Board of NIHE was involved in the appointment did Mr Lomax declare an interest,' the initial processes of appointing the consultant were managed by the Chairman. The external independent review of the organisation's handling of planned maintenance contracts will review how this situation arose, the reliability of the information on overcharging and the actions taken to recover the overpayments. The period under investigation relates to planned maintenance contracts over the past five years.

### Housing-led Regeneration

**Mr Flanagan** asked the Minister for Social Development to outline what 'housing led regeneration' means.

**(AQO 4302/11-15)**

**Mr McCausland:** It is of considerable regret to me that many once vibrant housing estates across Northern Ireland have been allowed to decline and become blighted by vacant and derelict properties, undeveloped land and poor design. This approach is failing communities and exacerbating the housing waiting list, as no one wants to live in an area that is run down and I feel it is morally wrong to condemn home owners to live in dereliction.

That is why the Housing Strategy sets out my intention to take a housing-led approach to regenerating communities to provide; better homes; better places to live and work; better services for communities; and better opportunities for residents.

This approach will involve concerted social, economic and physical actions by my Department's Housing, Urban Regeneration and Social Security Agency teams, working in partnership with other statutory organisations and communities, to develop solutions which reverse decline and create sustainable communities.

Actions to be taken forward will include; refurbishment of current housing stock; infrastructure improvements; and programmes to tackle anti social behaviour and improve educational attainment and employability prospects for people living within these communities.

### Connswater Community Greenway

**Mr Douglas** asked the Minister for Social Development for an update on the Connswater Community Greenway project, following the recent announcement about the contract being awarded to deliver the first phase.

**(AQO 4309/11-15)**

**Mr McCausland:** I very much welcome the announcement of the Contract being awarded which will deliver the first phase of the project. It is important that, given the previous delays, people can see some progression taking place with this significant regeneration project which my Department is helping to deliver across the city. This project will lead to considerable improvements to the City environment and will clearly demonstrate that Belfast is being 'turned around' for the benefit of its citizens.

## Housing Executive: Electricity Group-buy Scheme

**Mr Weir** asked the Minister for Social Development what steps the Housing Executive has taken to examine the potential for a group buy scheme to help offset the recently announced electricity price rises.

**(AQO 4310/11-15)**

**Mr McCausland:** The Member will be aware that we were faced with the same situation last year in relation to electricity prices and that there is legislative provision under Section 19 of the Housing (Amendment) Act (Northern Ireland) 2011 to procure bulk energy. I raised the matter then with the Housing Executive and soon after there was a significant price cut.

In relation to the recently announced electricity price rises there is more work to be done with the Housing Executive to help achieve a similar result to last year. Again I asked the Housing Executive to raise the issue with the electricity license holders. They have advised me that they have written to all electricity license holders in Northern Ireland asking them to detail any discounts that they are prepared to offer to its tenants. A response is anticipated by Friday, 28 June 2013.

## Housing Executive: Stock Transfer

**Ms Lo** asked the Minister for Social Development for an update on the progress on transferring Housing Executive stock to Housing Associations.

**(AQO 4311/11-15)**

**Mr McCausland:** As the Stock Transfer Programme involves the transfer of over 2000 housing units currently in Housing Executive ownership, to the Housing Associations, we must be sure that value for money is being achieved by the public purse when transferring assets. The Housing Executive is currently working with my Department to finalise the stock transfer process to ensure this process is fit for purpose.

I am pleased to be able to inform you that the necessary approval to proceed with a further pilot in Bloomfield Bungalows, Bangor was received on 15 May 2013 and the Housing Executive issued a Formal Consultation first Notice to the tenants in Bloomfield Bungalows on Friday 17 May 2013.

The administrative processes and the oversight and approval mechanisms for the proposed Stock Transfer Programme are near completion and I intend to make an announcement on the Programme and the schemes it contains before the Summer Recess.

## Landlord Registration Scheme

**Mr McCarthy** asked the Minister for Social Development for an update on the Landlord Registration Scheme.

**(AQO 4312/11-15)**

**Mr McCausland:** My original intention was to have Landlord Registration in place by the Summer. However, in order to facilitate the direct payment to landlords of the housing cost element of Universal Credit, it is necessary to make a number of practical changes to implementation. In addition the Head of the Civil Service issued a directive to all Departments that when developing new programmes involving online or telephone interaction with citizens or business services, there should be a presumption in favour of using NI Direct programme. My Department is therefore now working with NI Direct to ensure there is a fully functional landlord registration scheme in place as quickly as possible and certainly before the end of 2013.

Although the delay is disappointing, this will ensure a better service to people delivered more effectively.

## Housing: Repossessions

**Mr McMullan** asked the Minister for Social Development what action he is taking to deal with the problem of house repossessions.

**(AQO 4313/11-15)**

**Mr McCausland:** My Department cannot resolve the underlying problems leading to possible home repossession; however it does offer help to people facing difficulty through the services outlined below.

My Department funds a Mortgage Debt Advice Service to help those experiencing difficulty making mortgage payments avoid the distressing prospect of court action and possible repossession. This free advice service, operated by the Housing Rights Service, has received funding until March 2015. The service operates during office working hours and includes an online advisor and evening opening hours to 8.00pm on Tuesdays and Thursdays and can be contacted directly on 0300 323 0310.

My Department also provides help through Support for Mortgage Interest to people receiving certain social security benefits.

## Ballykeel, Ballymena: Regeneration

**Mr Frew** asked the Minister for Social Development for an update on the proposed regeneration scheme for the Ballykeel Ward, Ballymena.

**(AQO 4314/11-15)**

**Mr McCausland:** The Housing Executive has advised that it does not have any proposed regeneration schemes for Ballykeel. In addition, they advise that their local District Office is not aware of any schemes planned through Neighbourhood Renewal or Regional Development.

However, my Department will continue to work with the local voluntary and community sector and its local statutory partners including Ballymena Borough Council to identify, develop and deliver a range of projects to target the needs of the people in the Neighbourhood Renewal Area, including Ballykeel.

### **Unanswered Questions: AQW 1004/11-15; AQW 2105/11-15, AQW 3568/11-15 and AQW 6109/11-1**

**Mr Allister** asked the Minister for Social Development why AQW 1004/11-15 tabled on 17/06/2011; AQW 2105/11-15 tabled on 16/09/2011; AQW 3568/11-15 tabled on 19/10/2011; and AQW 6109/11-15 tabled on 09/01/2012 have not been answered. **(AQO 4315/11-15)**

**Mr McCausland:** I would advise the Member that AQW 1004/11-15; AQW 2105/11-15; and AQW 3568/11-15 were answered.

### **Social Security Office: Limavady**

**Mr G Robinson** asked the Minister for Social Development what scope exists to expand the role of the Social Security Office in Limavady.

**(AQO 4316/11-15)**

**Mr McCausland:** The role of the local Jobs and Benefits offices will continue to change as elements of welfare reform are rolled out across Northern Ireland. Whilst I am committed to maintaining the current network of offices, it is important that the Social Security Agency actively reviews all potential functions to ensure optimum use of the current estate. This review will include looking at the functions which could be carried out at the Limavady Jobs and Benefits Office

### **Housing Executive: Review of Maintenance Contracts**

**Mr McKay** asked the Minister for Social Development when an external independent review of the Housing Executive's handling of maintenance contracts will (i) begin; and (ii) be completed.

**(AQW 24411/11-15)**

**Mr McCausland:** The external independent review has begun and is scheduled to take 13 weeks to complete.

## **Northern Ireland Assembly Commission**

### **Lobbying**

**Mr Dallat** asked the Assembly Commission what guidance is in place to define when lobbying involving Assembly Members is appropriate and when it is inappropriate.

**(AQW 23888/11-15)**

**Mr Cree (The Representative of the Assembly Commission):** Standing Order 69 (Members' Interests) and the Assembly's Code of Conduct together with the Guide to the Rules Relating to the Conduct of Members ("the Code and Guide") set out the rules and guidance that Members must adhere to in relation to lobbying. I enclose with this response links to Standing Order 69 and the Code and Guide, both of which appear on the Assembly's website.

Lobbying of Members is permitted. However, Members must register and/or declare any relevant interests that they have in relation to lobbying. Paragraphs 7 to 94 of the Guide provide further detail in relation to the requirements to register and declare interests.

Paid advocacy is not permitted. The rules therefore provide that no Member shall, in any proceeding of the Assembly, in return for payment or benefit:

- advocate or initiate any cause or matter on behalf of any outside body or individual;
- urge any other Member of the Assembly to do so.

Paragraphs 95 to 102 of the Guide provide further detail in relation to the advocacy rule.

At its meeting on 22 March 2013 the Committee on Standards and Privileges agreed that, as part of its forthcoming review of the Code and Guide, it would review the relevant provisions in order to ensure that the Members and their staff have appropriate standards/guidance for dealing with lobbyists and others whose intent is to sway public policy on behalf of specific interests.

Should you require it, further advice and guidance on these issues is available from the Clerk of Standards (Room 254).

Link to Standing Order 69: <http://www.niassembly.gov.uk/Assembly-Business/Standing-Orders/Standing-Orders/#69>

Link to the Code of Conduct together with the Guide to the Rules Relating to the Conduct of Members: <http://www.niassembly.gov.uk/Your-MLAs/Code-of-Conduct/The-Code-of-Conduct-together-with-the-Guide-to-the-Rules-Relating-to-the-Conduct-of-Members/>



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# Northern Ireland Assembly

Friday 28 June 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### Training: Young People

**Ms Fearon** asked the First Minister and deputy First Minister what funding is available from their Department for organisations who provide key skills and employment training for young people with a diverse range of needs.

(AQW 22952/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** An important component of the 'Together: Building a United Community' Strategy, published on 23 May 2013, is the development of a 'United Youth Programme' focused on offering structured employment, work experience, volunteer and leisure opportunities to those young people who are not in either employment, education or training. Work is ongoing to progress this proposal across departments and full details of how the programme will operate and be delivered, including any potential funding opportunities, will be detailed in due course.

We are also aware that a number of employability projects, including several aimed at increasing the skills and employment opportunities for young people, are included within the Area Plans submitted to the Department by the Social Investment Fund (SIF) Steering Groups. These projects are now being assessed through an internal economic appraisal and verification process prior to a decision on funding.

In addition, funding is currently being provided to GEMS NI from the Minority Ethnic Development Fund to support its Minority Ethnic Employability Support Project. The project aims to improve the employability of minority ethnic individuals from a range of age groups including young people.

#### National Insurance: EU Nationals

**Mr Kinahan** asked the First Minister and deputy First Minister what support is in place to help newly arrived European Union Nationals to attain National Insurance numbers, schooling and basic health support prior to January 2014.

(AQW 22971/11-15)

**Mr P Robinson and Mr M McGuinness:** Regional services tailored to meet the needs of European Union Nationals, have been set up by the Department of Education and the Department of Health, Social Services and Public Safety. These include the Northern Ireland New Entrant Service (NINES), designed to meet EU migrants' health and social wellbeing needs and a newcomer pupils' service to support curriculum access for school age children whose language is not English.

In addition, the Social Security Agency offers face-to-face National Insurance application support to locals and EU migrants alike.

#### Maze Regeneration Board: Remuneration Arrangements

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 14065/11-15, to detail the remuneration arrangements for the members of the Maze Regeneration Board.

(AQW 23184/11-15)

**Mr P Robinson and Mr M McGuinness:** The Chair of the Maze/Long Kesh Development Corporation receives up to £30k per annum plus expenses and Board Members £6k per annum plus expenses.

#### Equality Legislation: Faith Group Exemptions

**Mr Allister** asked the First Minister and deputy First Minister what exemptions from equality legislation exist to protect faith groups.

(AQW 23583/11-15)

**Mr P Robinson and Mr M McGuinness:** Article 70 of the Fair Employment and Treatment (NI) Order 1998 provides exceptions in relation to employment or occupation of clergy or Ministers of a religious denomination; and around any

employment or occupation where the essential nature of the job requires it to be done by a person holding, or not holding, a particular religious belief.

### Dignity at Work: OFMDFM Cases

**Mr Spratt** asked the First Minister and deputy First Minister how many Dignity at Work cases have been lodged in their Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

**(AQW 23592/11-15)**

**Mr P Robinson and Mr M McGuinness:**

Year	Core Department		Non-departmental Public Body	
	Dignity at Work Cases	Successful	Dignity at Work Cases	Successful
2009	0	0	1	1
2010	0	0	5	5
2011	1	1	4	3
2012	0	0	0	0
2013	2	2	0	0

### Maze: Expenditure on Buildings

**Mr Allister** asked the First Minister and deputy First Minister how much has been spent on the former prison buildings at the Maze since 2007.

**(AQW 23694/11-15)**

**Mr P Robinson and Mr M McGuinness:** From 2007 to date the amount spent on maintaining the former prison buildings to fulfil our statutory obligations is approximately £260k.

### Asset Management/Commercialisation

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 23135/11-15, to explain the terms Asset Management and Commercialisation; and to list the individual projects and the value of consultancy where support is listed as (i) Asset Management; and (ii) Commercialisation.

**(AQW 23813/11-15)**

**Mr P Robinson and Mr M McGuinness:** Asset Management is the process which aligns business and (primarily physical) asset strategies, ensuring the optimisation of an organisation's assets in a way which best supports its key business goals and objectives. Although it is primarily a strategic activity, it is also about ensuring that assets are managed efficiently and effectively on a day to day basis.

In the context of Central Government asset management, the Executive approved the recommendations of the Capital Realisation Taskforce Review report on 27 January 2011, the key recommendations were;

- The creation of a central Asset Management Unit (AMU)
- The development of a region-wide Corporate Asset Management Strategy
- The development of individual departmental Asset Management Plans
- The use of an electronic database (ePIMS) to create a Central Asset Register across the public sector

While the AMU facilitates, promotes and co-ordinates asset management activity across the public sector, it is the responsibility of all public sector organisations to effectively manage their property resources in line with Executive strategy and business needs.

Commercialisation is the use of public assets for non core activities to generate additional revenues. These assets can be tangible (e.g. forest estate) or non tangible (e.g. Intellectual Property (IP) and licensing), where the public purse seeks a return on its investment. The Strategic Investment Board has most recently provided assistance to the Department of Agriculture and Rural Development, Agri-Food and Biosciences Institute, the Department of Culture, Arts and Leisure and the Forest Service in the commercialisation of their assets.

A table giving the breakdown of Asset Management and Commercialisation projects has been placed in the Assembly Library.

### **Ebrington Square: Permanent Arena**

**Mr Durkan** asked the First Minister and deputy First Minister what action their Department has taken to ensure that the Venue in Derry's Ebrington Square is secured as a permanent arena beyond the 2013 City of Culture year.

**(AQW 24074/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Venue is a temporary pavilion at Ebrington and was funded, procured and provided by the Department for Social Development to assist in the delivery of events as part of the Derry/Londonderry 2013 City of Culture programme.

The pavilion's purpose, duration of operation and removal are the responsibility of DSD.

Our Department has invested significant capital funding in Ebrington Square as a shared space facility in the city and an arena for appropriate cultural and performance opportunities throughout the 2013 programme and beyond.

### **Victims and Survivors (Northern Ireland) Order 2006: Grants**

**Mr Allister** asked the First Minister and deputy First Minister to list the grants approved pursuant to Article 10 of the Victims and Survivors (Northern Ireland) Order 2006.

**(AQW 24091/11-15)**

**Mr P Robinson and Mr M McGuinness:** Information relating to grants paid to Victims and Survivors is provided in the OFMDFM Resource Accounts. These are completed yearly and are available on the OFMDFM website. The Department is currently in the process of having the 2012-13 Resource Accounts audited by the Northern Ireland Audit Office. These will be published on the Departmental website in due course.

### **Maze: Regeneration Board Members**

**Mr Allister** asked the First Minister and deputy First Minister whether Paul Stewart is still a member of the Maze Regeneration Board; and if not, to detail (i) when and for what reason he ceased being a member; and (ii) by whom has he been replaced.

**(AQW 24238/11-15)**

**Mr P Robinson and Mr M McGuinness:** Mr Paul Stewart resigned from the Maze/Long Kesh Development Corporation Board on 15 June 2013.

The position will be filled in due course.

### **Programme for Government 2011-15: Strategic Online Report**

**Mr Eastwood** asked the First Minister and deputy First Minister why the Programme for Government 2011-2015 - Strategic Online Report has not been updated since December 2012.

**(AQW 24444/11-15)**

**Mr P Robinson and Mr M McGuinness:** Reports on progress are commissioned on a quarterly basis, the most recent of which related to the period 1 January – 31 March 2013. The commissioning exercise was initiated on 25 March. Progress has subsequently been examined in accordance with the functions and structures of the prescribed delivery framework, including a meeting of the PfG Executive Programme Board on 12 June 2013. The Strategic Online Report (SOR) will be updated immediately following Executive and Committee of OFMDFM notification.

## **Department of Agriculture and Rural Development**

### **INTERREG IVA: Value for Money Assessment**

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 23007/11-15, to explain the value for money assessment which is currently under consideration, including for whom it is intended to show value for money.

**(AQW 24113/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The value for money assessment referred to in the answer to AQW 23007/11-15 relates to an appraisal undertaken by the Special EU programmes Body as part of its routine process of assessment of applications to the INTERREG IVA programme.

### **Carlone Drain, Toomebridge**

**Mr Clarke** asked the Minister of Agriculture and Rural Development, whether the Carlone Drain in Toomebridge is designated by Rivers Agency, and if so, to detail (i) how much of the drain is designated; and (ii) how often the drain has been cleaned in each of the last ten years, specifying the dates.

**(AQW 24171/11-15)**

**Mrs O'Neill:** I can confirm that the Carlane Drain in Toomebridge is designated under the terms of the Drainage (NI) Order 1973, from Carlane Road to Lough Neagh, a total length of 3046m. The watercourse is inspected on a three yearly cycle and maintained where necessary in line with Rivers Agency's maintenance programme. Maintenance can also be conducted more frequently where problems are identified. Over the last 10 years the drain has required maintenance on 4 occasions, in October 2002, October 2007, October 2009 and December 2012.

### **Deprivation: Rural Areas**

**Mr Craig** asked the Minister of Agriculture and Rural Development, as she intends to prioritise funding for areas of deprivation for the roll out of high speed broadband, to detail what methods she has adopted, or will adopt, in order to identify deprivation in rural areas.

**(AQW 24207/11-15)**

**Mrs O'Neill:** Following the public consultation of the list of 'not spot' postcodes my officials matched the postcodes to population census output areas and produced a list using the Multiple Deprivation Measure ranked scores from the latest census data available.

### **Animals: Transport Regulations**

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, in relation to the movement of animals regulations, whether it is a breach of regulations to transport animals when their general condition is poor; and who makes the decision that animals are fit for transport.

**(AQW 24249/11-15)**

**Mrs O'Neill:** Under the Transport Regulations anyone transporting animals must ensure:-

- Journey times are kept to a minimum
- The animals are fit to travel
- Those handling animals are trained and competent
- The vehicle and its loading & unloading facilities are designed constructed and maintained to avoid injury and suffering.
- Water feed and rest are given to the animal as needed, and sufficient floor space and height is allowed.

Responsibility for assessment of fitness to travel lies with the owner of the animals and the person who transports the animals. It is a breach of the regulations to transport any animal in a way which causes, or is likely to cause, injury, or unnecessary suffering to that animal.

### **Legislation: DARD**

**Mr Weir** asked the Minister of Agriculture and Rural Development to list the current or planned legislation that her Department will bring to the Assembly before the end of the current term.

**(AQW 24293/11-15)**

**Mrs O'Neill:** During the current term I plan to bring a Reservoirs Bill to the Assembly. This Bill will introduce a framework for the management and regulation of reservoir safety.

Other requirements for primary legislation which may arise during this mandate will be reviewed on a regular basis.

### **Cock Fighting: Prevention**

**Mr Campbell** asked the Minister of Agriculture and Rural Development, following the recent revelations of incidents of organised cock fighting, what additional steps are being taken to prevent such activities in the future.

**(AQW 24381/11-15)**

**Mrs O'Neill:** Cock fighting has been banned in Ireland since 1837 under the Cruelty to Animals (Ireland) Act 1837.

Currently, the welfare of animals here is protected by the Welfare of Animals Act 2011. Section 8 of the Act created a number of offences in relation to animal fighting, which is defined as an occasion on which a protected animal is placed with an animal or with a human for the purpose of fighting, wrestling or baiting. Cock fighting falls under this definition.

The PSNI has enforcement responsibility for Section 8 of the Act in relation to animal fighting. It is the PSNI's responsibility to investigate complaints in respect of animal fighting, including cock fighting.

I believe that the Welfare of Animals Act 2011 provides the PSNI with robust powers to deal with animal fighting offences. For example, the Act makes it an offence to own, or train, an animal for use in connection with an animal fight, or any attempt to organise an animal fight, so action can be taken before the fight actually happens. In addition, the penalties under the Welfare of Animals Act 2011 are also sufficiently strong to deal effectively with those involved in the cruel and abhorrent practice of animal fighting.

## Phytophthora Ramorum

**Mr Campbell** asked the Minister of Agriculture and Rural Development whether any instances of *Phytophthora ramorum* have been confirmed in larch trees in the North West.

**(AQW 24384/11-15)**

**Mrs O'Neill:** No instances of *Phytophthora ramorum* infection have been confirmed in larch trees in the North West to date. A first aerial survey for the disease in 2013 took place in early June. Suspect sites identified from the air will be subject to on ground follow up inspections over the summer period. The up to date outbreak situation can be found on the DARD website.

## Circuses: Animal Welfare Inspections

**Mr Agnew** asked the Minister of Agriculture and Rural Development, for each of the last twelve months, to detail (i) the number of animal welfare inspections which have been carried out on circuses; and (ii) any instances when animal welfare inspectors have discovered violations of the law or regulations concerning the welfare of animals in circuses.

**(AQW 24386/11-15)**

**Mrs O'Neill:** Since April 2012, the Welfare of Animals Act 2011 has been enforced by Councils in respect of non-farmed animals. Council appointed Animal Welfare Officers inspect circuses when responding to specific welfare complaints. On the information that we have received from Councils I can advise you that over the last year there has been one animal welfare complaint regarding circuses reported to Councils. Following the complaint an Animal Welfare Officer inspected the circus and was content with the condition of the animals.

I understand that some individual Councils send veterinarians to inspect circuses when they visit their boroughs. My Department does not hold any statistics or records of these inspections.

## Circuses: Wild Animals

**Mr Agnew** asked the Minister of Agriculture and Rural Development when she intends to introduce legislation to ban the keeping of wild animals in circuses.

**(AQW 24388/11-15)**

**Mrs O'Neill:** It is important to note that there are no circuses based here. There are a number of circuses registered in the south of Ireland, some of which travel here. My Department has an agreed protocol with the Department of Agriculture, Food and the Marine in Dublin which provides for an inspection of animals from these registered circuses before they move back to the south. We have no evidence to suggest that the welfare of these animals is compromised.

As you may be aware, Defra has offered to extend a draft Westminster Bill to ban the use of wild animals in travelling circuses to both here and Britain. I understand that Defra's proposed Bill will be introduced on ethical rather than welfare grounds because the available evidence does not support the view that the welfare of wild animals in circuses is compromised.

Before I make a decision on whether a ban is necessary, I want to take time to consider the issue fully and examine all options available to me. I also think that any action in relation to wild animals in travelling circuses should best be considered on an all-island basis. I therefore intend to raise this matter with my Ministerial colleague in the south of Ireland, Minister Coveney TD, when I meet him at the next North South Ministerial Council Agriculture Meeting which is to be held on 10 July 2013.

## Herd Keepers

**Mrs Dobson** asked the Minister of Agriculture and Rural Development how many herd keepers have been registered in each of the last three years.

**(AQW 24422/11-15)**

**Mrs O'Neill:** Over the last 3 Financial years –

Financial Year	Species	No. Registrations
2010/11	Cattle	369
	Goats	88
	Sheep	730
	Pigs	301
<b>Total</b>		<b>1,488</b>

Financial Year	Species	No. Registrations
2011/12	Cattle	455
	Goats	99
	Sheep	987
	Pigs	254
<b>Total</b>		<b>1,795</b>
2012/13	Cattle	483
	Goats	93
	Sheep	849
	Pigs	149
<b>Total</b>		<b>1,574</b>
	<b>Total Cattle Herds</b>	<b>1,307</b>
	<b>Total Goat Herds</b>	<b>280</b>
	<b>Total Sheep Flocks</b>	<b>2,566</b>
	<b>Total Pig Herds</b>	<b>704</b>
	<b>Overall Total</b>	<b>4,857</b>

This includes herds which may now be non operational or archived.

### Bovine TB

**Mr Frew** asked the Minister of Agriculture and Rural Development to detail the average length of time that animals remain on the farm once they have tested positive for Bovine TB; and how this compares with (i) 2008; and (ii) 2012.

**(AQW 24447/11-15)**

**Mrs O'Neill:** DARD routinely uses the median value to monitor reactor removal times.

- For 2013 (to the end of March) the median TB reactor removal time from farm is 9.6 working days.
- The median TB reactor removal time from farm during 2008 was 12.3 working days.
- The median TB reactor removal time from farm during 2012 was 11.6 working days.
- The figures are published monthly on the DARD internet as part of the Tuberculosis Disease Statistics in the north of Ireland [http://www.dardni.gov.uk/tb\\_statsmar13\\_pdf.pdf](http://www.dardni.gov.uk/tb_statsmar13_pdf.pdf)

### Farm Quality Assurance: Assessment

**Mr Frew** asked the Minister of Agriculture and Rural Development for her assessment of the various Farm Quality Assured schemes that are in use; and to detail if she has plans to (i) make it easier for producers to qualify for all the schemes; and (ii) amalgamate all schemes into one.

**(AQW 24489/11-15)**

**Mrs O'Neill:** Farm quality assurance (FQA) schemes are industry led and DARD is not directly involved in their development, accreditation, management or implementation.

Membership of FQA schemes is voluntary. Farmers have to meet the standards set in the schemes in order to participate. Amalgamation of FQA schemes is a matter for those bodies operating them.

FQA schemes demonstrate that the industry is taking ownership for setting standards of good practice that are audited. Participation helps to provide assurance within the supply chain and ultimately to the consumer. They can provide a marketing advantage for our local agri-food industry under-pinning the ambition of sustainable growth.

### Cock Fighting: Convictions

**Mr Weir** asked the Minister of Agriculture and Rural Development how many convictions for cock fighting have been secured in each of the last three years.

**(AQW 24518/11-15)**

**Mrs O'Neill:** Cock fighting has been banned in Ireland since 1837 under the Cruelty to Animals (Ireland) Act 1837. Currently, the welfare of animals here is protected by the Welfare of Animals Act 2011. Section 8 of the Act created a number of offences in relation to animal fighting, which is defined as an occasion on which a protected animal is placed with an animal, or with a human, for the purpose of fighting, wrestling or baiting. Cock fighting falls under this definition.

The PSNI has enforcement responsibility for Section 8 of the Act in relation to animal fighting. It is the PSNI's responsibility to investigate complaints in respect of animal fighting, including cock fighting.

I believe that the Welfare of Animals Act 2011 provides the PSNI with robust powers to deal with animal fighting offences. For example, the Act makes it an offence to own, or train, an animal for use in connection with an animal fight, or any attempt to organise an animal fight, so action can be taken before the fight actually happens. In addition, the penalties under the Welfare of Animals Act 2011 are also sufficiently strong to deal effectively with those involved in the cruel and abhorrent practice of animal fighting.

My Department does not keep information regarding prosecutions taken forward by the PSNI.

## Department of Culture, Arts and Leisure

### Language Body: Equality of Funding

**Mr Swann** asked the Minister of Culture, Arts and Leisure when there will be equality of funding between the two sections of the Language Body, as outlined in the Belfast Agreement.

**(AQW 22399/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Executive remains wholly committed to affording equal respect and recognition to the Irish and Ulster Scots languages and culture.

As the work of the Agencies is at different stages of development the funding currently provided to Foras na Gaeilge and the Ulster-Scots Agency reflects their differing ranges of projects, programmes and supported organisations and is determined on the basis of the approved actions in their respective corporate plans and annual business plans.

### Windsor Park: National Anthem

**Mr Swann** asked the Minister of Culture, Arts and Leisure whether the creation of a neutral environment and the ending of the practice of playing the National Anthem at Windsor Park is a condition of the release of capital funding for stadium development.

**(AQW 22561/11-15)**

**Ms Ní Chuilín:** To date no Funding Agreement has been issued to the IFA for the release of capital funding in relation to the Windsor Park project. Suitable conditions will be considered at the appropriate time.

### Salmon: Drift Net/Tidal Drift Net Licences

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 22085/11-15, to detail the location of the drift net and tidal draft net that received a licence.

**(AQW 22571/11-15)**

**Ms Ní Chuilín:** For the 2013 commercial salmon fishing season the Department has issued a drift net licence for the North Coast and a tidal draft net licence for the South Down Coast.

### Salmon: Drift Net/Tidal Drift Net

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 22085/11-15, whether the drift net and tidal draft net are being actively fished.

**(AQW 22572/11-15)**

**Ms Ní Chuilín:** The licence holders of the North Coast Drift net and the South Down Tidal Draft net have provided my Department with written undertakings that they will not operate these nets during the 2013 salmon fishing season.

### Salmon: Tidal Drift Nets/Drift Nets/Lough Neagh Draft Nets

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 1903/11-15 and AQW 22085/11-15, to outline the reasons for the reduction in the number of (i) tidal drift nets; (ii) drift nets; and (iii) Lough Neagh draft nets.

**(AQW 22573/11-15)**

**Ms Ní Chuilín:**

- (i) and (ii) Departmental officials have been in negotiations with the coastal commercial salmon netmen and the reduction in the number of applications for licenses would reflect the recognition by all of the need to introduce measures to conserve wild Atlantic salmon.
- (iii) As of 8 May 2013 there have been 13 applications for Lough Neagh Draft nets and based on previous years it is likely that this figure will increase over the next month or two. These nets are licensed to take salmon and freshwater fish, but the vast majority of fish taken are trout.

## Ulster-Scots Agency: Funding Allocations

**Mr Copeland** asked the Minister of Culture, Arts and Leisure to detail the organisations which have received funding from the Ulster Scots Agency in the last two years; and the total amount of funding each organisation received.

**(AQW 22605/11-15)**

**Ms Ní Chuilín:** The information regarding funding from the Ulster-Scots Agency in the last two years can be found in the table attached.

Festivals 2011		Festivals 2012	
Group:	Grant Award:	Group:	Grant Award:
Randalstown District LOL 22	£ 9,650.00	Unionist Centenary Committee	£ 9,600.00
South Down Defenders Flute Band	£ 2,300.00	Carrickfergus District Loyal Order Lodge No 19	£ 8,065.00
Brookmount Cultural & Education Society	£ 3,652.50	Brookmount Cultural & Education Society	£ 3,065.00
Banbridge Orange Hall Committee	£ 5,075.00	Ballynahinch District Loyal Orange Lodge No17	£ 6,439.90
Spectrum Centre (Greater Shankill Partnership Property Development)	£ 1,950.00	Annalong Cultural Education Society	£ 3,135.26
Kingdom of Dalriada Ulster-Scots Society	£ 5,545.00	Church Street Community Association	£ 2,600.00
Castlereagh Community Centre Forum	£ 7,650.00	Schomberg Festival Committee	£ 6,497.00
Coleraine Festival Committee	£ 16,630.00	Tobermore Village Hall Development Assoc	£ 3,350.00
Schomberg Festival Committee	£ 7,065.00	Bonn Community Association	£ 1,470.00
Greater Village Regeneration Trust	£ 1,960.00	Tyrone's Ditches Pipe Band	£ 4,950.00
Cullybackey District LOL 20	£ 5,000.00	Dunloy Accordion Band	£ 3,233.34
Drumquin Pipe Band	£ 1,880.00	Maiden City Festival Committee	£ 23,872.00
Garryduff Flute Band	£ 900.00	Plumbridge Cultural & Community Association	£ 4,710.00
Church Street Community Association	£ 2,005.00	Ballycarry Community Association	£ 12,120.00
Tobermore Village Hall Development Association	£ 1,033.33	Kingdom of Dalriada Ulster-Scots Society	£ 6,762.00
Dollingstown Ulster-Scots Society	£ 1,200.00	Burnside Ulster Scots Society	£ 3,150.00
Mullintur Ulster-Scots Improvement Committee	£ 4,100.00	Maghera Parish Caring Association	£ 3,412.50
Tyrone's Ditches Pipe Band	£ 4,655.00	Loughinsholin Cultural Music Group	£ 2,625.00
Cairncastle LOL 692 Community & Cultural Group	£ 19,970.00	Duncairn Ulster-Scots Society	£ 4,910.00
Dunloy Accordion Band	£ 2,525.00	Derry & Raphoe Action	£ 1,673.64
Maiden City Festival Committee	£ 21,195.00	Cranny Cultural & Community Group	£ 4,450.00
Ballynahinch Royal Black District Chapter No.5	£ 2,887.50	Coleraine Festival Committee	£ 15,100.00



<b>Festivals 2011</b>		<b>Festivals 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Hartford Community Development & Cultural Association	£ 2,675.00		
Ballycarry Community Association	£ 13,005.00		
Curragh Hall Development Association	£ 4,150.00		
Aughlish Ulster-Scots Group	£ 758.00		
Pottinger Historical & Cultural Society	£ 5,465.00		
Burnside Ulster-Scots Society	£ 2,212.50		
Hasleys Town Cultural Society	£ 1,300.00		
Ulster-Scots Cultural Development Trust	£ 3,155.75		
Cranny Cultural & Community Group	£ 3,937.50		
<b>Total:</b>	<b>£ 165,487.08</b>	<b>Total:</b>	<b>£ 135,190.64</b>

<b>Summer Schools 2011</b>		<b>Summer Schools 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group Name:</b>	<b>Grant Award:</b>
Newbuildings Youth Club	£ 2,648.78	Maghera Youth Group	£ 1,779.90
Cathedral Youth Club	£ 2,390.20	Newbuildings Youth Club	£ 2,374.01
Ballymac Friandship Trust	£ 1,497.75	Clooney Estate Residents Association	£ 1,680.98
Mourne Valley Cultural Association	£ 3,503.70	Bready & District Ulster Scots	£ 2,693.10
Bready & District Ulster-Scots Development Association	£ 2,759.05	Donemana Cultural Association	£ 3,193.23
Donemana Cultural Association	£ 3,344.55	Small Steps Adult Education Centre	£ 1,886.60
Mountfield Ulster-Scots Association	£ 2,756.10	Carrowdore Early Years & Community Development Centre	£ 2,430.00
Schomberg Fife & Drum	£ 1,875.37	Gillygooley Youth & Community Development Association	£ 2,702.10
Gillygooley Youth & Community development Association	£ 3,179.70	Kilcronaghan Community Association	£ 2,711.61
East Belfast Titanic Festival	£ 1,404.45	Ardinariff Historical & Cultural Society	£ 2,592.00
Glebeside Community Association	£ 1,874.70	Burnside Ulster Scots Society	£ 1,925.50
Loughries Historical Society	£ 3,350.80	Loughries Historical Society	£ 3,050.40
Kilcronaghan Community Association	£ 2,568.75	South East Fermanagh Foundation (SEFF)	£ 4,492.95
Loughinsholin Cultural Music Group	£ 2,268.00	Cloughskelt Rural & Cultural Association	£ 1,590.93
South East Fermanagh Foundation	£ 3,592.40	Muckamore Ulster Scots	£ 2,185.15
Carrowdore Early Year's centre	£ 2,610.00	Greenisland Community Association	£ 2,286.38
Clough Connect	£ 1,884.00	Kids Kabin	£ 3,135.00
Carrickfergus Community Forum	£ 1,886.40	Inter Estate Partnership	£ 1,885.00
South & East Antrim Community Federation	£ 1,911.00	Fermanagh Ulster Scots Empowerment (FUSE)- DRAMA	£ 1,962.00
Cookstown North Community Group	£ 2,553.60	REACT (Reconciliation, Education & Community Training)	£ 2,188.70
Coleraine Festival Committee	£ 1,923.45	Clooney Hall Centre	£ 1,631.75

Summer Schools 2011		Summer Schools 2012	
Group:	Grant Award:	Group Name:	Grant Award:
Glenfield Community Association	£ 1,962.38	Ulster Scots Cultural Development Trust	£ 2,955.00
Knocknagoney Community Centre	£ 1,651.88	Mourne Valley Cultural Association	£ 2,938.99
Banbridge Orange Hall Committee	£ 1,762.50	Loughries Historical Society	£ 1,780.00
Inter Estate Partnership	£ 1,548.75	South East Fermanagh Foundation (SEFF)	£ 2,551.60
Ulster-Scots Cultural Development Trust	£ 2,565.00		
Clooney Hall Centre	£ 2,032.80		
Queens Park Womens Group	£ 1,476.94		
Carrowdore Early Year's centre	£ 2,610.00		
REACT	£ 2,109.70		
Ardinariff Historical & Cultural Society	£ 2,200.35		
Loughries Historical Society	£ 1,696.00		
<b>Total:</b>	<b>£ 73,399.05</b>	<b>Total:</b>	<b>£ 60,602.88</b>

Summer Schools 2011 - ROI			
Group:	Grant Award:		
Raphoe Pipe Band	£ 3,117.30		
<b>Total:</b>	<b>£ 3,117.30</b>		

WVO 2011		WVO 2012	
Group:	Grant Award:	Group:	Grant Award:
Mark Swetnam	£ 3,000.00	RSPBANI	£ 20,000.00
North west Play Resource Centre	£ 8,700.00	Dr Frank Ferguson	£ 24,000.00
RSPBANI	£ 19,661.00		
<b>Total:</b>	<b>£ 31,361.00</b>	<b>Total:</b>	<b>£ 44,000.00</b>

Music & Dance Tuition 2011		Music & Dance Tuition 2012	
Group:	Grant Award:	Group:	Grant Award:
Aghalee Young Volunteers Flute Band 1182	£ 1,650.00	Strawhill Voluntary Independent Pipe Band	£ 1,650.00
Aghavilly Accordion Band 820/2	£ 975.00	Mullaghy Flute Band	£ 1,642.50
Aghyaran Loyal Orange Order 1641	£ 1,200.00	Dunaghy Flute Band	£ 1,650.00
Allistragh Flute Band 1199	£ 1,050.00	Bready Ulster Scots Pipe Band	£ 1,641.50
Altnaveigh Memorial Pipe Band 1082/1	£ 1,650.00	Gleenkeen Fife & Drum Band	£ 1,642.50
Annalong Single Star Flute Band 1051/1	£ 1,650.00	Kilrea Pipe Band	£ 1,650.00
Ardinariff Historical & Cultural Society 588/16	£ 1,650.00	Benraw Highland Pipe Band	£ 1,642.50
Articlave Flute Band	£ 1,650.00	Macosquin First Flute Band	£ 1,642.50
Aughagaskin Flute Band 1174	£ 600.00	Marlaco Pipe Band	£ 1,650.00
Augharan Pipe Band 1066/1	£ 1,650.00	Topp Star of the North Pipe Band	£ 1,642.50
Augharonan Pipe Band 1164	£ 1,650.00	Cullybackey Pipe Band	£ 1,650.00
Aughlisnafin Accordion Band 58/3	£ 1,050.00	Mountfield Pipe Band	£ 1,650.00

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Aughintober Pipe Band 679/4	£ 1,650.00	Garvagh Pipe Band	£ 1,640.00
Aughrim Rose of Derry Accordion Band 1205	£ 1,650.00	Sinclair Memorial Pipe Band	£ 1,650.00
Ballinacross Accordion Band 793/2	£ 1,650.00	Bruces' True Blues Accordion Band	£ 1,650.00
Ballinderry Pipe Band 1168	£ 1,650.00	Curran Flute Band	£ 1,050.00
Ballinteer Flute Band 1044/1	£ 1,650.00	Derryoghill Flute Band	£ 1,650.00
Ballintoy Accordion Band 1196	£ 1,650.00	Drum Major Trip	£ 1,050.00
Ballyboley Pipe Band 1024/1	£ 1,200.00	Aghalee Young Volunteer Flute Band	£ 1,650.00
Ballybriest Flower of the Heather Flute Band 1181	£ 1,650.00	William King Memorial Flute Band, Londonderry	£ 1,650.00
Ballybriest Pipe Band 1198	£ 1,650.00	Newtownstewart Flute Band (Red Hand Defenders)	£ 1,641.50
Ballycoan Flute Band 1018/1	£ 550.00	Ballylone Concert Flute Band	£ 1,642.50
Ballycraig Auld Boys Musical Association 1184	£ 1,650.00	Milltown Accordion Band	£ 1,200.00
Ballydonaghy Pipe Band 788/3	£ 1,650.00	Finnis Accordion Band	£ 1,650.00
Ballygrainey Rural Development Association 465/15	£ 1,650.00	Clontibret Pipe Band	£ 1,650.00
Ballylone Concert Flute Band 960/2	£ 1,650.00	Clogher & District Pipe Band	£ 1,600.00
Ballymaconnelly Sons of Conquerors Flute Band 1000/1	£ 1,650.00	Sergeant Walker Memorial Pipe Band	£ 1,650.00
Ballymaconnelly Ulster-Scots 923/1	£ 1,650.00	Trillick Pipe Band	£ 1,650.00
Ballymageough Rural Development Association 19/12	£ 1,650.00	Carnlough Flute Band	£ 1,642.50
Ballymagroraty Accordion Band 1178	£ 1,650.00	Drumleagh Pipe Band	£ 1,600.00
Ballymena & Harryville Young Conquerors Flute Band 963/2	£ 1,200.00	Mullinagoagh Pipe Band	£ 1,342.50
Ballymena Corps of Drums	£ 1,305.00	Manorcunningham Pipe Band	£ 1,650.00
Ballymoughan Flute Band	£ 1,650.00	Maghera Sons Of William Flute Band	£ 1,650.00
Ballyrobert Fife & Drumming Club 532/3	£ 1,650.00	Garryduff Flute Band	£ 1,640.00
Ballyronan Orange Cultural Group 1193	£ 1,650.00	Bellaghy Pipe Band	£ 1,650.00
Ballyvea Rural Development Association 801/4	£ 1,650.00	Blossomhill Pipe Band	£ 1,650.00
Ballywillan flute Band 891/2	£ 1,650.00	Stronge Memorial, Lisnafedy Accordion Band	£ 1,642.50
Bann Valley Community Association 1160	£ 1,050.00	Pride of Ardoyne Flute Band	£ 1,650.00
Battlehill Pipe Band 771/2	£ 1,650.00	Moybrone Pipe Band	£ 1,642.50
Bawn Junior Silver Band - 1188	£ 1,050.00	O'Neill Pipe Band	£ 1,650.00
Bellaghy Pipe Band 1175	£ 1,575.00	Brookeborough Flute Band	£ 1,320.00
Benburb Memorial Pipe Band	£ 1,650.00	Ballyboley Pipe Band	£ 1,200.00
Benraw Highland Pipe Band 1140	£ 1,650.00	Tullylagan Pipe Band	£ 1,642.50
Bessbrook Crimson Arrow Pipe Band 1161	£ 1,650.00	Stronge Memorial, Lisnafedy Accordion Band	£ 1,642.50

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Blackhill Flute Band 1204	£ 1,650.00	Tievemore Pipe Band	£ 840.00
Blacksessiagh Coronation Accordion Band 1093/1	£ 750.00	Tullylagan Pipe Band	£ 1,050.00
Blair Memorial Flute Band	£ 780.00	Corkley Drum Majors	£ 1,050.00
Bloomhill Rural Development Association 767/1	£ 1,650.00	County Armagh Drum Majors - Tandragee	£ 1,050.00
Bready Ulster Scots Pipe Band 845/1	£ 1,650.00	Ballymoughan Flute Band	£ 1,650.00
Brookeborough Flute Band 780/2	£ 1,650.00	Magheraglass Flute Band	£ 1,650.00
Brookmount Cultural & Educational Society	£ 1,650.00	Steeple Defenders Flute Band	£ 1,650.00
Broomhedge Ulster-Scots Society 655/7	£ 1,050.00	Pride of the Park Flute Band	£ 1,642.50
Broughshane & District Pipe Band 1176	£ 1,650.00	Cleland Memorial Pie Band	£ 1,350.00
Bruces True Blues Accordion Band 1203	£ 1,650.00	Edenmore Flute Band	£ 1,650.00
Brunswick Accordion Band 648/4	£ 1,050.00	Mosside Rising Sons of Ulster Accordion Band	£ 1,642.50
Burnside Accordion Band 884/5	£ 1,650.00	Ballymacconnelly Sons of Conquerors FB	£ 1,650.00
Bushside Independent Flute Band 1003/2	£ 900.00	Corkley Pipe Band	£ 1,650.00
Caddy & District Community Group 217/1	£ 1,650.00	Orangefield Flute Band	£ 1,650.00
Cairncastle Flute Band 1077/1	£ 1,650.00	Drumderg Flute Band	£ 1,650.00
Carnagh Accordion Band 760/2	£ 1,600.00	Seskanore Pipe Band	£ 1,050.00
Carrowdore Early Years Centre 1125/1	£ 1,200.00	St Patricks Pipe Band	£ 1,650.00
Cleland Memorial Pipe Band 975/1	£ 1,500.00	Augharan Pipe Band	£ 1,650.00
Clogher & District Pipe Band 1152	£ 1,600.00	Broughshane & District Pipe Band	£ 1,450.00
Clonmacash Pipe Band 1011/1	£ 1,650.00	Lislaird Pipe Band	£ 1,650.00
Clontibret Pipe Band 539/2	£ 1,650.00	Drumquin Pipe Band	£ 1,650.00
Closkelt Pipe Band 742/2	£ 1,237.50	Sons of Kai Flute Band	£ 1,650.00
Cloughfin Pipe Band 1042/1	£ 1,650.00	Pride of the Maine Flute Band	£ 1,650.00
Cloughmills & District Fife & Drum Club 481/4	£ 1,650.00	Drumaheagles Young Defenders	£ 1,650.00
Coleraine Ulster-Scots Regeneration Group 1167	£ 1,650.00	Crozier Memorial Pipe Band	£ 1,650.00
Cookstown Fife & Iambeg Drumming School 1034/1	£ 1,650.00	Drumlough Pipe Band	£ 1,650.00
Cookstown Sons of William Flute Band 651/1	£ 1,650.00	Waringsford Pipe Band	£ 1,650.00
Cooneen Pipe Band 1144	£ 1,650.00	Laganvalley Flute Band	£ 1,650.00
Corkley Pipe Band 992/2	£ 1,650.00	Derryloran Flute Band	£ 1,650.00
Cowan Memorial Flute Band 762/2	£ 1,650.00	Articlave Flute Band	£ 1,650.00
Craiganeer Accordion Band 790/6	£ 1,500.00	Ballyquin Flute Band	£ 1,650.00

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Cranny Cultural & Community Group 572/9	£ 1,650.00	Salterstown Flute Band	£ 1,050.00
Crimson Arrow Pipe Band - Newcastle 816/1	£ 783.75	Skeogh Flute Band	£ 1,650.00
Crossgar Young Defenders 785/3	£ 1,650.00	Ballykeel Loyal Sons of Ulster Flute Band	£ 1,650.00
Crown Defenders Flute Band	£ 1,500.00	Star of the Bann Castleroe	£ 1,650.00
Crozier Memorial Pipe Band 1072/1	£ 1,650.00	Eden Accordion Band	£ 1,642.50
Curlough Accordion Band 598/4	£ 1,230.00	Gransha Pipe Band	£ 1,650.00
Cullybackey Fife & Drumming Club	£ 1,650.00	McDonald Memorial Pipe Band	£ 1,650.00
Curran Flute Band 860/2	£ 1,650.00	Benvarden Flute Band	£ 1,650.00
Derryloran Flute Band 1177	£ 1,650.00	Tyrone's Ditches Pipe Band	£ 1,643.00
Derryoghill Flute Band 997/1	£ 1,650.00	Finaghy Trues Blues	£ 1,650.00
Dollingstown Ulster Scots Cultural & Heritage Society 666/12	£ 630.00	Gertrude Star Flute Band	£ 1,650.00
Donaghmore Development Association 665/4	£ 1,650.00	Ballymena Corps of Drums	£ 1,650.00
Downshire Ulster-Scots Society 705/6	£ 1,200.00	Aghyaran Accordion Band	£ 1,650.00
Downshire Ulster-Scots Society	£ 1,050.00	Killyclooney Pipe Band	£ 1,650.00
Dromore Fife & Drum	£ 630.00	Tobermore Loyal Flute Band	£ 1,650.00
Drumconvis Young Defender Flute Band 1029/1	£ 1,650.00	Cowan Memorial Flute Band	£ 1,650.00
Drumderg Flute Band Keady 874/2	£ 1,650.00	Ballintoy Accordion Band	£ 1,642.50
Drumlough Highland Pipe Band (Rathfriland) 1191	£ 1,050.00	Cairncastle Flute Band	£ 1,650.00
Drumlough Pipe Band (Hillsborough) 524/7	£ 1,650.00	Harry Ferguson Memorial Pipe Band	£ 1,650.00
Drumnacross Flute Band 1145	£ 1,421.50	WM Strain WM Lightbody Memorial Flute Band	£ 1,650.00
Drumquin Pipe Band 516/11	£ 1,650.00	Causeway Flute Band	£ 1,642.50
Dunaghy Flute Band 876/3	£ 1,650.00	W J Armstrong Memorial Pipe Band	£ 1,575.00
Dunamoney Community Group 811/2	£ 1,650.00	Dunloy Accordion Band	£ 1,642.50
Dungiven Flute Band 933/2	£ 1,650.00	Maguiresbridge Pipe Band	£ 1,650.00
Dunloy Accordion Band 689/10	£ 1,650.00	Ballybriest Pipe Band	£ 1,650.00
Dunmurry Protestant Boys Flute Band 1197	£ 1,650.00	Blair Memorial Flute Band	£ 1,440.00
East Bank Protestant Boys Flute Band 1159	£ 1,650.00	Drumbanagher Accordion Band	£ 1,042.50
Eden Accordion Band 795/3	£ 1,050.00	Bushside Independent Flute Band	£ 900.00
Edenderry Pipe Band 1165	£ 1,050.00	Pride of the Hill Flute Band, Rathfriland	£ 1,650.00
Edenmore Flute Band	£ 1,650.00	Killadeas Pipe Band	£ 1,210.00
Edentilone Pipe Band 612/2	£ 1,650.00	Thiepval Memorial Pipe Band	£ 1,338.75
Fardross Pipe Band 1089/1	£ 1,650.00	Killymuck Accordion Band	£ 1,650.00

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Fifes & Drums Musical & Historical Society 990/1	£ 1,650.00	Brunswick Accordion Band	£ 1,050.00
Finnis Accordion Band	£ 1,650.00	Castlegore Amateur Flute Band	£ 1,042.50
Garryduff Flute Band 885/3	£ 1,500.00	Steeple Veterans Flute Band	£ 1,650.00
Gertrude Star Flute Band 943/2	£ 1,650.00	Newtownards Melody Flute Band	£ 1,650.00
Gillygooley Pipe Band 343/1	£ 1,125.00	Matt Boyd Memorial Pomeroy Pipe Band	£ 1,650.00
Glassmullagh Accordion Band 1143	£ 1,050.00	Dungiven Flute Band	£ 1,650.00
Glenkeen Fife & Drum Band 1015/1	£ 1,650.00	Millars Hill Accordion Band	£ 1,641.50
Goldsprings TDFB 784/2	£ 1,650.00	North Down First Flute Band	£ 1,642.50
Gortaclare Pipe Band 971/2	£ 1,550.00	Crossgar Young Defenders Flute Band	£ 1,650.00
Grange Fife and Drum Club	£ 1,650.00	Edentilone Pipe Band	£ 1,642.50
Halfpenny Gate Cultural Society	£ 1,050.00	Allistragh Flute Band	£ 825.00
Harry Ferguson Memorial Flute Band 1046/1	£ 1,650.00	Closkelt Pipe Band	£ 1,237.50
Hartford Comm Development & Cult. Assoc. 233/12	£ 525.00	Montober Flute Band	£ 1,650.00
Hartford Comm. Development & Cult. Assoc. 233/13	£ 450.00	Ballinrees Pipe Band	£ 1,640.00
Hollywood Flute Band 1147	£ 1,650.00	Pride of Ardina Flute Band	£ 1,642.50
Hunter Moore Memorial Band	£ 600.00	Portaferry Accordion Band	£ 1,642.50
Kellswater Flute Band 664/2	£ 800.00	Drumlough Highland Pipe Band	£ 1,500.00
Kilcluney Volunteers Flute Band 708/2	£ 1,650.00	Magheraboy Flute Band	£ 1,642.50
Killadeas Pipe Band	£ 1,650.00	Ballywillan Flute Band	£ 1,650.00
killen Pipe Band 480/1	£ 1,650.00	Edenderry Pipe Band	£ 1,050.00
Killyclooney Pipe Band 1058/1	£ 1,650.00	Enniskillen Fusiliers Flute Band	£ 1,642.50
Kilmore Community Development Association 444/3	£ 1,650.00	Ballymacarrett Defenders Flute Band	£ 1,650.00
Killymuck Accordion Band 1079/1	£ 1,650.00	Gillygooley Pipe Band	£ 1,642.50
Kingdom of Dalriada Ulster-Scots Society	£ 1,050.00	Lack Pipe Band	£ 1,650.00
Kingshill Community Development Association 1180	£ 360.00	Burntollet Sons of Ulster Flute Band	£ 1,650.00
Kirlish Ulster-Scots Association 1039/1	£ 1,650.00	North Fermanagh Young Defenders Flute Band	£ 1,650.00
Lack Pipe Band 859/2	£ 1,500.00	Sir George White Memorial Flute Band	£ 1,650.00
Laganvalley Flute Band	£ 1,650.00	Trench Memorial Flute Band	£ 1,500.00
Laganvillage Drum & Fife School 958/3	£ 1,650.00	Tamlaghtmore Flute Band	£ 1,600.00
Lisburn Fusiliers Flute Band 826/3	£ 1,452.00	Aughagaskin Flute Band	£ 600.00
Lily of the North Flute Band 1207	£ 1,485.00	Blacksessiagh Coronation Accordion Band	£ 580.00
Lisnamulligan Pipe Band 865/2	£ 1,650.00	Curlough Accordion Band	£ 1,650.00
Lord Londonderry's Own CLB Flute Band 952/2	£ 1,650.00	Blackhill Accordion Band	£ 1,642.50

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Loughans Accordion Band 1013/1	£ 1,650.00	Ballyhalbert Flute Band	£ 1,650.00
Loughinsholin Cultural Music Group 1025/1	£ 1,650.00	Omagh Protestant Boys Melody Flute Band	£ 1,600.00
Loughries Historical Society 583/13	£ 1,650.00	Ballynahinch Protestant Boys Flute Band	£ 1,650.00
Macosquin First Flute Band 1148	£ 1,650.00	Plumbridge Brien Boru Pipe Band	£ 1,490.00
Maghera Sons of William Flute Band 773/3	£ 1,650.00	Star of the Roe Flute Band	£ 1,642.50
Magheraboy Flute Band 702/4	£ 1,650.00	Benburb Memorial Pipe Band	£ 1,650.00
Magheraglass Flute Band 982/1	£ 1,650.00	Ballinteer Flute Band	£ 1,642.50
Manorcunningham Pipe Band	£ 1,650.00	Dunmurry Portestant Boys Flute Band	£ 1,642.50
Markethill Protestant Boys Flute Band 1012/1	£ 1,650.00	Augharonan Pipe Band	£ 1,650.00
Marladoo Pipe Band	£ 1,650.00	Red Hand Defenders Auld Boys Flute Band	£ 1,650.00
Marlagh Educational & Cultural Group 24/17	£ 1,650.00	Glassmullagh Accordion Band	£ 1,050.00
Matt Boyd Memorial Pomeroy Pipe Band 1171	£ 1,650.00	Upper Bann Fusiliers Flute Band	£ 1,650.00
McNeillstown Pipe Band 242/1	£ 1,500.00	Lisburn Fusiliers Flute Band	£ 1,452.00
Milltown Accordion Band 1155	£ 1,500.00	Grallagh Part-Flute Band	£ 1,650.00
Moneygore Rural Development Association 285/13	£ 1,650.00	Battlehill Pipe Band	£ 1,642.00
Montober Flute Band 1170	£ 1,650.00	Legananny Accoridon Band	£ 1,650.00
Mossie Independent Accordion Band 1179	£ 450.00	Craiganeer Accordion Band	£ 1,650.00
Mossie Rising Sons of Ulster 976/2	£ 1,650.00	Garrison Accordion Band	£ 590.00
Mountfield Ulster Scots Association 316/24	£ 1,650.00	Stronge Memorial, Lisnafedy Accordion Band	£ 525.00
Moybrone Pipe Band 998/1	£ 1,425.00	Pollee Temperance Accordion Band	£ 1,650.00
Moyne Ulster Scots Association 8/25	£ 1,650.00	Coleraine Festival Committee	£ 1,640.00
Muckamore Cultural Music Society 1035/1	£ 1,650.00	Bendocragh & District Community Association	£ 1,650.00
Mullabrack Accordion Band 965/2	£ 750.00	Maghera Musical Appreciation Society	£ 1,650.00
Mullaghy Flute Band 675/1	£ 1,500.00	Loughinsholin Cultural Music Group	£ 1,050.00
Mullinagoagh Pipe Band 1190	£ 1,350.00	Cranny Cultural & Community Group	£ 1,650.00
Mullintur Ulster-Scots Improvement Committee 1062/1	£ 1,650.00	Sticks of Fire Cultural Drumming & Music Group	£ 525.00
Musical Appreciation Society of Maghera 1008/1	£ 1,650.00	Clough Fife & Drum Club	£ 1,642.50
Naggyburn Ulster-Scots and Schomberg Orange Cultural Society 829/8	£ 1,050.00	Marlagh Education & Cultural Group	£ 1,642.50
Naggyburn Ulster-Scots and Schomberg Orange Cultural Society	£ 1,650.00	Caddy & District Community Group	£ 1,642.50

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Newtownards Melody Flute Band 881/2	£ 1,650.00	Ballycraigy Auld Boys Musical Association	£ 1,650.00
Newtownards Road Historical Society 589/3	£ 1,050.00	Bann Valley Community Association	£ 1,642.50
Newtownstewart Flute Band 1091/1	£ 1,650.00	Moyne Ulster Scots Association	£ 1,650.00
North Fermanagh Young Defenders 1201	£ 1,450.00	Laganvillage Drum & Fife School	£ 1,200.00
Omagh Protestant Boys Melody Flute Band 1017/1	£ 1,650.00	Aghanloo 656 Bank Account	£ 1,642.50
Orangefield Flute Band	£ 1,650.00	Fifes & Drums Musical & Historical Society	£ 1,642.50
Pollee Temperance Accordion Band 1173	£ 1,650.00	Kingshill Community Development Association	£ 315.00
Pomeroy Flute Band 1081/1	£ 1,590.00	Downshire Ulster-Scots Society	£ 1,650.00
Portavogie Flute Band 985/1	£ 1,500.00	East Donegal Ulster Scots Association	£ 1,050.00
Playzone Afterschool Club 1123/1	£ 880.00	Ballymageough Rural Development Association	£ 1,650.00
South Lurgan Historical & Cultural Society	£ 975.00	Greyabbey Junior Scottish Highland Dance Group	£ 1,935.00
Mounthill Drumming & Fifing Club	£ 1,650.00	North West Cultural Association	£ 2,946.00
Pride of Ballinran Flute Band 957/3	£ 1,650.00	Kingdom of Dalriada Ulster Scots Society	£ 1,200.00
Pride of Laganvalley Flute Band 823/2	£ 1,650.00	MPDA	£ 1,650.00
Pride of the Hill Flute Band 979/1	£ 1,650.00	Ballyvea Rural Development Association	£ 1,650.00
Pride of the Maine Flute Band	£ 1,650.00	Loughries Historical society	£ 1,650.00
Pride of the Orange and Blue Flute Band 1158	£ 1,600.00	Ballysally Culture, Heritage & Development Group	£ 1,640.00
Pride Of the Park 917/4	£ 1,650.00	Hallidays Bridge Cultural Society	£ 900.00
Pride of the Valley Flute Band Teenies	£ 1,350.00	Kingdom of Dalriada Ulster Scots Society	£ 1,050.00
Raffrey Piping and Drumming School 686/3	£ 1,650.00	Ardinariff Historical & cultural Society	£ 1,050.00
Randalstown Cultural Awareness Association	£ 1,650.00	The Warren Cultural & Education Society	£ 1,650.00
Randalstown Sons of Ulster Flute Band	£ 1,650.00	Dollingstown Ulster Scots culture & Heritage Society	£ 1,650.00
Salterstown Flute Band	£ 1,650.00	Kingdom of Dalriada Ulster Scots Society	£ 600.00
Sandholes Community Group 1149	£ 1,600.00	Lislea Lambeg Drumming Club	£ 1,050.00
Schomberg Folk Orchestra 553/11	£ 1,050.00	donaghmore Development Association	£ 1,650.00
Seskanore Pipe Band 1056/1	£ 1,050.00	Fews Community Association, Newtownhamilton	£ 1,650.00
Sir George White Memorial Flute Band	£ 1,650.00	ARMOY Auld Boys Musical Association	£ 1,650.00
Sir Henry Inglesby's Fife and Drum Corps	£ 1,650.00	Drumnavaddy Rural Association	£ 525.00



<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Skeogh Flute Band 887/3	£ 1,650.00	Schomberg Folk Orchestra	£ 975.00
South Down Defenders Flute Band 905/5	£ 1,650.00	Kilmore Community Development Association	£ 1,642.50
South Lurgan Historical & Cultural Society 1195/1	£ 975.00	Mourne Valley Cultural Association	£ 1,650.00
Star of the North Pipe Band 1084/1	£ 1,650.00	Hartford Community Development & Cultural Association	£ 450.00
Star of the Roe Flute Band 941/2	£ 1,650.00	Muckamore Cultural Music Society	£ 1,650.00
Steeple Cultural & Heritage Association	£ 1,650.00	Duncairn Ulster Scots Society	£ 900.00
Steeple Veterans Flute Band	£ 1,650.00	Mullintur Ulster Scots Improvement Committee	£ 1,642.50
Sterritt Memorial Ulster-Scots & Drumming Society 441/7	£ 525.00	Sandholes Community Group	£ 1,650.00
Tamlaghtmore Flute Band 1156	£ 1,650.00	Halfpenny Gate Cultural Society	£ 1,050.00
The Ely Centre 1157	£ 360.00	Drumnaleg Community Association	£ 1,042.50
Thiepval Memorial Pipe Band	£ 1,500.00	Curley Rural Community Association	£ 920.00
Tobermore Loyal Flute Band 862/2	£ 1,650.00	Kingdom of Dalriada Ulster Scots Society	£ 1,600.00
Trench Memorial Flute Band 862/2	£ 1,350.00	Broomhedge Ulster Scots Society	£ 525.00
Trillick Pipe Band 248/5	£ 1,650.00	Mounthill Drumming & Fifing Club	£ 1,650.00
Tullintrain Pipe Band 385/1	£ 1,650.00	Dollingstown Ulster Scots Culture & Heritage Society	£ 622.50
Tullygrawley Community Group	£ 1,050.00	Sterritt Memorial Ulster Scots Society & Drumming Club	£ 525.00
Tullylagan Pipe Band 1163	£ 1,600.00	Drumnavaddy Rural Association	£ 525.00
Tyrone Ditches Pipe Band 949/3	£ 1,650.00	Ballymacconelly Renewal Group	£ 880.00
Ulster Grenadiers Flute Band 1183	£ 900.00	Moyasset Heritage & Cultural Society	£ 547.50
Ulster-Scots Cultural & Historical Society 456/4	£ 1,050.00	Ballygrainey Rural Development Association	£ 1,650.00
Ulster Volunteer Flute Band 1064/1	£ 1,650.00	Mullabrack Rural Community Group	£ 750.00
Upper Bann Fusiliers - 1194	£ 1,575.00	Duncairn Ulster Scots Society	£ 1,650.00
Victoria Historical & Cultural Society 888/1	£ 1,640.00	Moyne Ulster Scots Association	£ 2,827.50
Vow Accordion Band 926/2	£ 1,650.00	McClintock Parents Support Group	£ 1,518.75
Waringsford Pipe Band 522/3	£ 1,650.00	Clogherny Scottish Country Dance Group	£ 2,233.12
William Kerr Memorial Pipe Band 504/5	£ 1,650.00	Kirknarra School of Dance	£ 2,520.00
William Strain and William Lightbody Memorial Flute Band	£ 1,650.00	Craiganeer Accordion Band	£ 1,050.00
Killaghtee Accordion Band 1022/1	£ 1,650.00	Mourne School of Dance	£ 2,470.50
Raphoe Pipe Band	£ 1,918.20	Ardinariff Historical & Cultural Society	£ 1,852.50
Drum Accordion Band 28/8	£ 1,063.20	Aughnagorgan Scottish Dance Association	£ 2,595.00
Killyfargue Pipe Band	£ 1,918.20	Closkelt Highland Dancers	£ 1,373.40

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
Billyhill Accordion Band 1169	£ 1,918.20	Edenitloan & District Ulster-Scots Association	£ 945.00
Ardinariff Historical & Cultural Society	£ 2,178.00	Blue Thistle Highland Dancers	£ 2,725.00
Aughlish Ulster-Scots Group	£ 682.50	Mourne School of Dance	£ 1,102.50
Aughnagurgan Scottish Dance Association	£ 2,476.13	Cairncastle LOL 692 Community & Cultural Group (Association)	£ 1,936.65
Ballysillan Highland Dancers	£ 2,484.00	Banbridge Orange Hall Committee	£ 2,053.00
Banbridge Orange Hall Committee	£ 1,538.70	Banbridge Orange Hall Committee	£ 2,430.00
Blue Thistle Highland Dancers	£ 2,025.00	Maghera Parish Caring Association	£ 367.20
Cairncastle LOL 692 Community & Cultural Group	£ 3,098.57	Maguiresbridge Highland & Scottish Country Dancing	£ 4,087.50
Cairncastle LOL 692 Community & Cultural Group	£ 1,952.10	Kingdom of Dalriada Ulster Scots Society	£ 2,205.00
Carrowdore Early Years	£ 2,025.00	Ardstraw & Baronscourt Youth Council	£ 2,146.50
Clogherny Scottish Country Dancers	£ 1,462.50	Sollus School of Highland Dance	£ 2,677.50
Closkelt Highland Dancers	£ 1,620.00	Mountfield Scottish Country Dance	£ 1,914.60
Coleraine Ulster-Scots Regeneration Group	£ 1,128.00	Mourne School of Dance	£ 2,587.50
County Armagh Drum Majors Group	£ 1,945.54	Cranfield Cultural Society	£ 1,656.00
Craiganeer Accordion Band	£ 1,050.00	Heart of Down Highland	£ 1,971.00
Cranfield Cultural Society	£ 1,647.00	Sollus School of Highland Dance	£ 6,423.75
Crimson Arrow Pipe Band	£ 540.00	Naggyburn Ulster-Scots & Schomberg Orange Cultural Society	£ 1,739.50
Curley Rural Community Association	£ 2,565.00	Cairncastle LOL 692 Community & Cultural Group (Association)	£ 3,277.50
Dollingstown Ulster-Scots Cultural & Heritage Society	£ 525.00	Erne Highland Dancers	£ 3,903.00
Drum Major Trip	£ 1,575.00	Coleraine Ulster Scots Regeneration Group	£ 1,689.00
Edenitloan & District Ulster-Scots Assoc	£ 1,575.00	Finnard Rural Development Association	£ 1,339.50
Erne Highland Dancers	£ 2,430.00	Aughlish Ulster Scots Group	£ 682.00
Finnard Rural Development Association	£ 1,971.00		
Greyabbey Junior Scottish Highland Dance Group	£ 1,419.00	Total:	£ 391,548.72
Heart of Down Highland Dancers	£ 1,903.50		
Kilrea District Ulster-Scots Society	£ 1,674.00		
Kingdom of Dalriada Ulster Scots Society	£ 1,755.00		
Kirknarra School of Dance	£ 2,362.50	Music Tuition 2012 - ROI	
Magherafelt Highland & Country Dance Group	£ 1,895.70	Group:	Grant Award:
Maguiresbridge Highland Dance Group	£ 3,577.50	Killyfargue Pipe Band	€ 1,885.00
Maguiresbridge Highland Dance Group	£ 1,507.50	Billyhill Accordion Band	€ 1,888.88
Marlagh Educational & Cultural Group	£ 759.38	Drum Accordion Band	€ 603.75

<b>Music &amp; Dance Tuition 2011</b>		<b>Music &amp; Dance Tuition 2012</b>	
<b>Group:</b>	<b>Grant Award:</b>	<b>Group:</b>	<b>Grant Award:</b>
McClintock Parents Support Group	£ 2,250.00		
Mountfield Ulster Scots Association	£ 1,704.00	Total:	€ 4,377.63
Mourne School of Dance	£ 2,421.00		
Mourne School of Dance	£ 4,155.00		
Moynelsetr Scots Association	£ 2,745.00		
Naggyburn Ulster-Scots & Schomberg Orange Cultural Society	£ 1,728.00		
Shelley-Anne Campbell School of Highland Dancing	£ 2,070.00		
Sollus School of Highland Dance	£ 6,131.25		
Sollus School of Highland Dance	£ 2,655.00		
Village Maids Highland Dance Groups	£ 2,475.00		
PB Class of Drum Majors	£ 2,475.00		
Corkley Drum Majors	£ 1,320.00		
Ballysally Young Defenders Flute Band	£ 1,650.00		
Bendocragh & District Community Association	£ 1,650.00		
Doagh Fife & Drumming Club	£ 1,650.00		
Kingdom Of Dalriada Ulster-Scots Society	£ 1,650.00		
Kingshill Community Development Association	£ 360.00		
Redrock Development Partnership	£ 1,050.00		
<b>Total:</b>	<b>£ 433,064.92</b>		

<b>Music &amp; Dance Tuition 2011 - ROI</b>			
<b>Group:</b>	<b>Grant Award:</b>		
Killaghtee Accordion Band	€ 1,650.00		
Raphoe Pipe Band	€ 1,918.20		
Drum Accordion Band	€ 1,063.20		
Killyfargue Pipe Band	€ 1,918.20		
Billyhill Accordion Band	€ 1,918.20		
<b>Total:</b>	<b>€ 8,467.80</b>		

<b>FAS Other 2011</b>		<b>FAS Other 2012</b>	
Augharan Dev Group	£ 250.00	Cairncastle LOL 692 Community & Cultural Group (Association)	£ 2,500.00
Ballinacross Accordion Band	£ 250.00	Mid Armagh Community Network	£ 28,477.00
Ballymoney Apprentice Boys Memorial Temperance LOL 956	£ 250.00	Cairncastle LOL 692 Community & Cultural Group	£ 250.00
Banbridge Orange Hall Committee	£ 250.00	Dollingstown US Cultural & Historical Society	£ 250.00

FAS Other 2011		FAS Other 2012	
Banbridge Orange Hall Committee	£ 250.00	REACT	£ 250.00
Brookmount Cultural & Education Society	£ 250.00	Cairncastle LOL 692 Comm & Cult Grp	£ 250.00
Cairncastle LOL 692 Community & Cultural Group	£ 2,750.00	European & Ulster Highland Dancing Festival	£ 8,812.33
Cairncastle LOL 692 Community & Cultural Group	£ 250.00	Carrowdore Early Years	£ 250.00
Cairncastle LOL 692 Community & Cultural Group	£ 250.00	Arts For All	£ 8,273.00
Church Street Community Association	£ 250.00	Greater Shankill Property Development Co Ltd (Spectrum Centre)	£ 6,419.00
Corcrair Cultural & Development Association	£ 250.00	Topp Star of The North Pipe Band	£ 250.00
Corcrair Cultural & Development Association	£ 250.00	Ardstraw & Baronscourt Youth Council	£ 250.00
Cranny Cultural & Community Group	£ 250.00	Mountfield Ulster Scots Association	£ 250.00
Dollingstown Ulster Scots	£ 250.00	Steeple Defenders Flute Band	£ 250.00
Donaghmore Development Association	£ 250.00	Lisnamulligan Rural Association	£ 250.00
Drumlough Pipe Band	£ 250.00	Steeple Defenders Flute Band	£ 250.00
Dunaghy Flute Band	£ 250.00	Ulster Scots Cultural Development Trust	£ 250.00
Dungonnell Ulster Scots Society	£ 250.00	Garvetagh Ulster Scots	£ 250.00
Dungonnell Ulster Scots Society	£ 250.00	Gillygooley Youth & Community Development Association	£ 250.00
European & Ulster Highland Dancing Festival	£ 1,021.00	Mullinagoagh Pipe Band	£ 250.00
Finnard Rural Dev. Assoc.	£ 250.00	Moyne Ulster-Scots Association	£ 625.00
Finnard Rural Dev. Assoc.	£ 250.00	Dunaghy Flute Band	£ 250.00
Garryduff Flute Band	£ 250.00	Pride of the Park Flute Band	£ 250.00
Heart of Down Highland Dancers	£ 635.00	King William III Crescent Community Group	£ 250.00
Kellswater & Tullynamullan Culture Education & Dev Society	£ 250.00	Kirknarra School of Dance	£ 805.54
Kilrea & District Ulster Scots Society	£ 250.00	Bushmills Traders Association	£ 2,400.00
Kingdom of Dalriada Ulster Scots Society	£ 250.00	Templepatrick Ulster Scots	£ 250.00
Kirknarra School of Dance	£ 816.26	Cairncastle LOL 692 Community & Cultural Group	£ 250.00
Mid Armagh Community Ntework	£ 17,236.50	Kilrea & District Ulster-Scots Society	£ 250.00
Moybrone Pipe Band	£ 250.00	Cranny Cultural and Community Group	£ 250.00
Moyne Ulster Scots Association	£ 580.00	Church Street Community Association	£ 250.00
Naggyburn Ulsetr Scots & Schomberg Orange Cultural Soc.	£ 250.00	Redrock Development Partnership	£ 250.00
Pride of the Park	£ 250.00	Ballybriest Pipe Band	£ 250.00
Pride of the Park	£ 250.00	Kingshill Community Development Association	£ 198.75
Pride of the Park	£ 250.00	Finnard Rural Development Association	£ 250.00

<b>FAS Other 2011</b>		<b>FAS Other 2012</b>	
Pride of the Park	£ 250.00	Naggy Burn US & Schomberg Cult. Society	£ 250.00
Randalstown Cultural Awareness Assoc.	£ 250.00	Ardstraw & Baronscourt Youth Council	£ 250.00
Redrock Development Partnership (Tuesday Club)	£ 250.00	Kilmacrew & District Rural Community Group	£ 250.00
Royal Scottish Country Dance Society (Portrush Branch)	£ 250.00	Schomberg Folk Orchestra	£ 250.00
Royal Scottish Country Dance Society (Portrush Branch)	£ 250.00	Garryduff Flute Band	£ 250.00
RSPBA NI	£ 19,661.00	Gilnarhirk Pipe Band	£ 250.00
Sandyrow Cultural Society	£ 782.50	Finnis Rural Development Association	£ 250.00
Steeple Veterans	£ 250.00	Waringsford & Tullyniskey Rural Development Cultural Association	£ 250.00
Tullygrawley Community Group	£ 250.00	Mullintur Ulster Scots Improvement Committee (MUSIC)	£ 250.00
Ulster Scots Cultural & Development Trust	£ 250.00		
Ulster Scots Cultural & Development Trust	£ 250.00		
Ulster Scots Cultural & Development Trust	£ 250.00		
Waringsford & Tullyniskey Rural Comm Dev Assoc.	£ 250.00		
Carleton Street Comm Dev. Assoc.	£ 250.00		
Kilmegan & Aughlislinafin Rural Community Group	£ 250.00		
Marlaco Rural Association	£ 250.00		
Rosedermot Community Cultural Group	£ 250.00		
Tobermore Village Hall Development Associatio	£ 250.00		
Mourne School of Dance	£ 872.00		
<b>Total:</b>	<b>£ 55,604.26</b>	<b>Total:</b>	<b>£ 67,260.62</b>

<b>Core Funded Groups 2011</b>		<b>Core Funded Groups 2012</b>	
Ulster Scots Community Network	£ 270,000.00	Ulster Scots Community Network	£ 270,000.00
Ulster Scots Language Society	£ 55,000.00	Ulster Scots Language Society	£ 55,000.00
Ullans Speaker Association	£ 80,000.00	Ullans Speaker Association	£ 80,000.00
Monreagh Ulster Scots Heritage & Educ. Centre	£ 45,000.00	Monreagh Ulster Scots Heritage & Educ. Centre	£ 45,000.00
<b>Total:</b>	<b>£ 450,000.00</b>	<b>Total:</b>	<b>£ 450,000.00</b>

<b>Community Workers Scheme 2011</b>		<b>Community Workers Scheme 2012</b>	
Derry & Raphoe Action Group	£ 13,825.56	Derry & Raphoe Action Group	£ 10,971.28
South Antrim Ulster Scots Network	£ 15,522.48	South Antrim Ulster Scots Network	£ 10,322.55
East Belfast Titanic Festival	£ 10,255.72	East Belfast Titanic Festival	£ 1,800.36
Ballycarry Community Association	£ 5,449.55	Ballycarry Community Association	£ 3,608.49

Community Workers Scheme 2011		Community Workers Scheme 2012	
Schomberg Society Kilkeel Ltd	£ 15,884.58	Schomberg Society Kilkeel Ltd	£ 13,568.57
Bready & District U S Dev Association	£ 12,848.70	Bready & District U S Dev Association	£ 8,312.62
Cairncastle LOL 692 Community & Cultural Group	£ 10,067.03	Cairncastle LOL 692 Community & Cultural Group	£ 7,838.48
Community Change	£ 882.60	A B Cultural Society	£ 3,429.34
A B Cultural Society	£ 9,798.36	Loughinsholin Culture Music Group	£ 5,775.20
Loughinsholin Culture Music Group	£ 2,078.46	Coleraine US Regeneration Group	£ 9,754.59
Coleraine US Regeneration Group	£ 9,990.61	Fermanagh U S Empowerment	£ 13,291.57
Fermanagh U S Empowerment	£ 4,315.50		
<b>Total:</b>	<b>£ 110,919.15</b>	<b>Total:</b>	<b>£ 88,673.05</b>
<b>Grand Total</b>	<b>£1,330,150.39</b>	<b>Grand Total</b>	<b>£1,240,996.90</b>

### Payments: DCAL

**Mrs Cochrane** asked the Minister of Culture, Arts and Leisure to detail, for the period 1 April 2012 to 31 March 2013, (i) the total number of invoices paid by her Department and its respective Arm's-Length Bodies; (ii) the number of invoices paid within thirty calendar days; (iii) the number of invoices paid within ten working days of receipt; (iv) how each of her Department's Arm's-Length Bodies has performed against the 30 Day Payment Performance Targets; and (v) the number of invoices that remain unpaid.

**(AQW 22626/11-15)**

**Ms Ní Chuilín:** The information for the year ended 31 March 2013 is provided below.

#### The Department

- (i) the Department paid 4,013 invoices
- (ii) 3,951 were paid within 30 calendar days
- (iii) 3,759 were paid within 10 working days

#### Arm's Length Bodies

- (i) The Department's Arm's-Length Bodies paid 33,934 invoices;
- (ii) 33,448 invoices were paid within 30 calendar days
- (iii) 30,080 invoices were paid within 10 working days

#### Individual arm's length bodies

- (iv) The table below details each ALB's performance against the 30 day target.

Arms-Length Body	No. of Invoices	Paid within 30 days
Arts Council	1222	100%
NI Screen	1001	99%
Armagh Observatory	611	100%
Armagh Planetarium	519	100%
NMNI	4733	98%
NIMC	255	99%
Libraries	22961	98%
Sport NI	2152	99%
World Police & Fire Games	480	100%

- (v) Unpaid invoices

At the year end, the number of invoices as yet unpaid were:

- The Department: 62 invoices
- The ALBs: 487 invoices

## Fish: Licensed Coastal Fishing Engines

**Mr Swann** asked the Minister of Culture, Arts and Leisure how many fish have been harvested by each of her Department's licensed coastal fishing engines, in each year since 2010.

**(AQW 22628/11-15)**

**Ms Ní Chuilín:** The table below details the number of salmon reported caught by DCAL licensed coastal fishing engines in each year since 2010.

Net Name	2010	2011	2012
North Coast	437	192	nil
North Coast	26	35	nil
Ballyterrim	636 (36)	345	nil
Torr Head	783	494 (1)	nil
South East Coast	23	44	nil

The catch figures in brackets are sea trout.

## UK City of Culture 2013: Funding

**Mr Allister** asked the Minister of Culture, Arts and Leisure for her assessment of (i) the business case in respect of the funding awarded to the Culture Company running the UK City of Culture 2013 events, in consequence of the income shortfalls now emerging; and (ii) the rigour applied to the scrutiny of the business case.

**(AQW 22673/11-15)**

**Ms Ní Chuilín:** The Department's business case provided a robust justification to support the City of Culture Cultural programme through Derry City Council.

The business case followed standard process in terms of DCAL and DFP scrutiny and approval. The allocation to City of Culture was also approved by the Executive.

## Film Production: Funding

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure to detail how many applicants received funding from the Short Film Funding in (i) 2012; and (ii) 2013 to date.

**(AQW 22704/11-15)**

**Ms Ní Chuilín:** In 2011/12 financial year fourteen applicants received Lottery funding for Short Film Production.

In 2013/14 to date 5 applicants have received Short Film Production Funding.

## Football Clubs: Funding

**Lord Morrow** asked the Minister of Culture, Arts and Leisure which football clubs were allocated funding from the £500,000, as stated in the Assembly on 7 May 2013, broken down by the total paid to each club.

**(AQW 22743/11-15)**

**Ms Ní Chuilín:** The Executive endorsed my bid for £4.5m over a three year period, £1.5m to the IFA, GAA and Ulster Rugby.

The IFA received £0.5m in the financial year 2012/13 and will receive a further £0.5m in the financial years 2013/14 and 2014/15 to roll out projects and programmes that will:

- Promote equality;
- Tackle poverty;
- Tackle social exclusion;
- Provide opportunities to realise socio-economic returns and community benefits;
- Provide opportunities to train and employ the long-term unemployed as coaches and administrators; and
- Provide suicide prevention initiatives.

These projects and programmes will be delivered throughout the North of Ireland with the aim of delivering positive outcomes for those sectors of society assessed as suffering the greatest socio-economic inequalities and within those areas assessed as suffering greatest objective need and deprivation.

Individual football clubs will not benefit directly in the form of financial support, as the programmes will be delivered centrally by the IFA. However, clubs will receive benefits from the programme through increased numbers of coaches at grassroots level within the game and through other interventions that will grow participation in the sport.

### **Fish: Stock Funding for Lough Neagh**

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure to detail the future funding for studies on fish stocks in Lough Neagh; and for any other actions she is taking to help manage the future of fishing on Lough Neagh.

**(AQW 22805/11-15)**

**Ms Ní Chuilín:** My Department has commissioned the Agri-Food and Biosciences Institute (AFBI) to undertake research throughout the Lough Neagh catchment. This includes assessments of eel and salmon stocks and research on the stock status of brown trout across DCAL's jurisdiction, including Lough Neagh. These activities are funded as part of a service level agreement between DCAL and AFBI.

DCAL is also developing a Fisheries Management Plan for Lough Neagh in consultation with stakeholder interests to ensure that the fishery is managed in a sustainable manner based on independent scientific advice.

DCAL has recently established an operational base at Magherafelt to support its work in relation to the conservation and protection of fish stocks in the Lough.

### **Fish: Stands in South Armagh**

**Ms Fearon** asked the Minister of Culture, Arts and Leisure to detail the (i) number; and (ii) location of fishing stands in South Armagh.

**(AQW 22843/11-15)**

**Ms Ní Chuilín:** The Department has two Public Angling Estate waters located in South Armagh, Clay Lake and Gentle Owens.

Clay Lake has low slopping banks, no weed cover and fluctuating water levels which makes this water unsuitable for angling stands.

The Department has recently entered into a management agreement with a local angling club to develop the angling facilities at Gentle Owens which will include the provision of angling stands.

The Department would have no record of fishing stands constructed on private fisheries located in South Armagh

### **Pitches: Funding**

**Ms Fearon** asked the Minister of Culture, Arts and Leisure what funding is available for local sporting organisations to avail of all weather pitches.

**(AQW 22844/11-15)**

**Ms Ní Chuilín:** Sport NI, is the primary distributor of funding to sport in the north of Ireland. At present, Sport NI has no funding programmes open for local sporting organisations to avail of all weather pitches.

Sport NI offers a facility on their website whereby local sporting organisations can register to receive updates on future funding opportunities as they arise: - [www.sportni.net/Online-funding+Registration+Page/Online+Funding+Registration+Page](http://www.sportni.net/Online-funding+Registration+Page/Online+Funding+Registration+Page). Also available is 'Grant Tracker' – a website dedicated to helping the voluntary and community sector in the north to access sources of funding: - [www.grant-tracker.org/](http://www.grant-tracker.org/).

### **Fish: Stands and Facilities for Anglers**

**Mr Hazzard** asked the Minister of Culture, Arts and Leisure what assistance her Department can offer to (i) establish new; and (ii) improve existing, fishing stands and facilities for anglers.

**(AQW 22890/11-15)**

**Ms Ní Chuilín:** DCAL Inland Fisheries Group provides advice and guidance to anglers and angling clubs on the position and construction standards for fishing stands.

DCAL provides advice to stakeholders on how to obtain the necessary consents and approvals as appropriate. DCAL staff are available to meet with fishery owners in providing a range of advice on fishery improvements.

### **Fish: Impact of Hydroelectric Turbine**

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure for her assessment of the impact on fish (i) passage; (ii) mortality; and (iii) populations following the installation of a hydroelectric turbine and whether an Environmental Impact Assessment should be required prior to permission to install such turbines being granted.

**(AQW 22913/11-15)**

**Ms Ní Chuilín:** The Department undertakes the following procedures when assessing the impact of hydroelectric turbine installations on fish stocks

- (i) Research into impacts of hydro electric developments on fish populations are inconclusive. However, a number of studies are currently underway to assess the impact on fish populations on such schemes. DCAL will consider any new scientific evidence as part of its assessment process.



- (ii) Inspections at hydroelectric sites in the DCAL area are carried out to ensure compliance with fisheries legislation. Any fishery issues at the site will be highlighted as part of the reporting process and breaches of fishery legislation will result in enforcement action being taken by DCAL.
- (iii) DCAL provides funding to AFBI to monitor salmon stocks. This will include juvenile salmon and trout stock densities assessments at a number of sites on some rivers with hydroelectric schemes.
- (iv) All hydro electric turbines require a license from the NIEA to operate. All license applications are assessed by a DCAL Technical Assessment Group to ensure compliance with Fisheries Act and advice is provided to NIEA accordingly. DCAL does not consider an Environmental Impact Assessment, in respect of fish stocks, is necessary prior to the installation of a hydroelectric turbine as it undertakes a full assessment of all applications.

### Boxing: Capital Funding

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail what funding is available for boxing clubs to purchase capital equipment.

**(AQW 22964/11-15)**

**Ms Ní Chuilín:** Sport NI has primary responsibility for the provision of funding, both Exchequer and Lottery, to sports clubs including boxing clubs. Currently, SportNI has no funding programmes available that would enable boxing clubs to directly purchase capital equipment. However, as part of my Boxing Strategy initiative, SportNI has allocated up to £240,000 from its Lottery budget to enable the governing body of boxing, the Irish Amateur Boxing Association (IABA), to purchase capital equipment on behalf of individual boxing clubs in the north of Ireland in line with the participation objectives of the strategy. A total of 94 boxing clubs across the north of Ireland have been identified by SportNI and the IABA as meeting the agreed eligibility criteria to receive this equipment under this initiative.

### Commonwealth Games 2014: Northern Ireland Team

**Mr McNarry** asked the Minister of Culture, Arts and Leisure to outline the departmental support, including financial assistance, that she has arranged to assist the Northern Ireland team competing in the Glasgow 2014 Commonwealth Games.

**(AQW 23076/11-15)**

**Ms Ní Chuilín:** The Department of Culture, Arts and Leisure (DCAL) provides support to the north of Ireland team competing in Commonwealth Games competitions, including the Glasgow 2014 Commonwealth Games, through SportNI which is an arms-length body of the Department. SportNI has, and continues, to support the NI Commonwealth Games Council (NICGC), which is responsible for the north of Ireland team competing at the Games, to establish and run a Glasgow 2014 Operational Group. This Group, which is chaired by the NICGC, is responsible for co-ordinating the north of Ireland team's preparation for the Games.

Moreover, through its Investing in Performance Sport Programme, SportNI awarded £55,536 and £51,199 of exchequer funding to the NICGC in 2011/12 and 2012/13 respectively to assist both in improving the governance of the organisation and with youth development activity. SportNI has offered further investment, under the Programme, totalling £136,000 over the period 2013-15. This investment is intended to assist the NICGC meet costs associated with the north of Ireland team preparation and travel to the Glasgow Games and with the employment of an Executive Officer and related administration.

In addition, SportNI has offered the following investment to athletes, squads and sports governing bodies likely to nominate for the 2014 Games:-

Year	Programme	Offer	Purpose
2011/12	Athlete Investment Programme	£480,180	Support training, competition and living costs of 56 athletes and 3 squads from 17 sports included in 2014 Commonwealth Games
2012/13	Athlete Investment Programme	£349,600	Support training and competition -costs of 40 athletes and 3 squads from 17 sports included in 2014 Commonwealth Games
2012/13	Athlete Investment Programme	£102,664	Support living costs of 14 athletes from 9 sports governing bodies likely to nominate for 2014 Commonwealth Games
2012/13	Investing in Performance Sport	£982,069	Support employment of staff and resources for programmes in 13 sports governing bodies likely to nominate for 2014 Commonwealth Games
2013/15	Performance Focus	£2,182,892	Support employment of staff and resources for programmes in 14 sports governing bodies likely to nominate for 2014 Commonwealth Games

### Commonwealth Games 2014: Rugby Sevens Event

**Mr McNarry** asked the Minister of Culture, Arts and Leisure which sporting body will nominate players to participate in the Rugby Sevens event at the Glasgow 2014 Commonwealth Games.

**(AQW 23078/11-15)**

**Ms Ní Chuilín:** Responsibility for nominating players from the north of Ireland to participate in international, multi sport competitions, including the Glasgow 2014 Commonwealth Games, rests with the governing body of the sport concerned. A governing body may choose to nominate players for such competitions in accordance with arrangements mutually agreed between the body and the relevant Council responsible for sending a local team to the competition. In the case of Rugby Sevens the governing body is the Irish Rugby Football Union (IRFU) and the relevant Council is the NI Commonwealth Games Council.

### Commonwealth Games 2014: Ministerial Attendance

**Mr McNarry** asked the Minister of Culture, Arts and Leisure on which days does she intend attending the Glasgow 2014 Commonwealth Games and at which events.

**(AQW 23079/11-15)**

**Ms Ní Chuilín:** the Glasgow 2014 Commonwealth Games take place from 23rd July 2014 to 3rd August 2014. My diary commitments are not agreed that far in advance.

### Loans/ Grants: South Antrim

**Mr Girvan** asked the Minister of Culture, Arts and Leisure to detail any loans or grants that have been awarded to organisations in South Antrim by (i) her Department; (ii) departmental agencies; and (iii) Arm's-Length Bodies, in the last five years.

**(AQW 23129/11-15)**

**Ms Ní Chuilín:** It should be noted that the Department, its Agencies and its Arm's Length Bodies do not provide loans to other organisations.

The total amount of grants awarded to organisations in the South Antrim constituency in the last five years is summarised in the tables below, divided between resource and capital:

	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Resource	70	120	90	180	136
Capital	620	679	124	491	10
<b>Total</b>	<b>690</b>	<b>799</b>	<b>214</b>	<b>671</b>	<b>146</b>

Detailed breakdowns by project are provided in Annex A

I should point out that if there was any doubt as to whether the South Antrim constituency benefited from the grant, then that grant was excluded from the answer. For example, if an organisation situated in the South Antrim constituency spent the funding further afield, it was excluded from the answer.

#### Annex A

##### Resource - South Antrim Constituency

ALB/Branch	Organisation/Project	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
NIMC	Sentry Hill House			5		
Sport Northern Ireland	Antrim Borough Special Olympics Club		3			
Sport Northern Ireland	Kickhams Creggan GAC		8			
Sport Northern Ireland	Newtownabbey Borough Council		1			
Sport Northern Ireland	Carnmoney Football Development Centre				2	
Sport Northern Ireland	Antrim Sports Advisory Association - Coach Smart				3	

ALB/Branch	Organisation/Project	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Sport Northern Ireland	Breckenhill Ltd - Adventure Activities Accreditation				1	
Ulster Scots Agency	Sixmilewater Cultural Society	4				
Ulster Scots Agency	Ulster Scots Cultural Development Trust	6	3	3	6	3
Ulster Scots Agency	Ballydonaghy Pipe Band	4		3	2	
Ulster Scots Agency	Burnside US Society	1	1			
Ulster Scots Agency	Dungonnell Ulster Scots & Cultural Society	2				
Ulster Scots Agency	Burnside Accoridon Band	2	2	4	2	
Ulster Scots Agency	South Antrim U-S Network		3	14	16	7
Ulster Scots Agency	Ballyrobert Drumming Club			4	2	
Ulster Scots Agency	Castlegore Flute Band			3		1
Ulster Scots Agency	Doagh Fife & Lambeg Club			2	2	
Ulster Scots Agency	Milltown Rural Development			4		
Ulster Scots Agency	Muckamore Cultural Music Society			3	2	2
Ulster Scots Agency	Muckamore Ulster Scots			2		2
Ulster Scots Agency	Randalstown Cultural			2		
Ulster Scots Agency	Sir Henry Inglesby's Fife & Drum Corps			3	2	
Ulster Scots Agency	Randalstown District LOL 22				10	
Ulster Scots Agency	Inter Estate Partnership				2	2
Ulster Scots Agency	Ballycraigy Auld Boys Muscial Association				2	2
Ulster Scots Agency	Caddy & District Community Group				2	2
Ulster Scots Agency	Kellswater Flute Band				1	
Ulster Scots Agency	McNeillstown Pipe Band				2	
Ulster Scots Agency	Milltown Accoridon Band				2	1
Ulster Scots Agency	Randalstown Cultural Awareness Association				2	
Ulster Scots Agency	Randalstown Sons of Ulster Flute Band				2	
Ulster Scots Agency	Steeple Cultural & Heritage Association				2	
Ulster Scots Agency	Steeple Veterans Flute Band				2	2
Ulster Scots Agency	Ulster Scots Cultural & Historical Society				1	
Ulster Scots Agency	Bruce's True Blues Accordion Band				2	
Ulster Scots Agency	Burnside Ulster Scots Society					5
Ulster Scots Agency	Kids Kabin					3
Ulster Scots Agency	Steeple Defenders Flute Band					2
Ulster Scots Agency	MPDA					2
Ulster Scots Agency	Ulster-Scots Culture Dev Trust					3
Foras Na Gaeilge	Crumlin Vocational Education Committee			4		
Foras Na Gaeilge	Crumlin VEC			4	4	

ALB/Branch	Organisation/Project	2008/09 €000	2009/10 €000	2010/11 €000	2011/12 €000	2012/13 €000
Foras Na Gaeilge	Cairde Ghleann Darach			4		8
Foras Na Gaeilge	Croí Éanna			1	60	55
Foras Na Gaeilge	Gaelscoil Éanna					4
Foras Na Gaeilge	Cumann Óige Chroí Éanna					3
Northern Ireland Events	Antrim Girls Golf Funding	12				
Northern Ireland Events	Motocross	15				
Northern Ireland Events	Great Game Fairs		10			
Northern Ireland Events	ULster Grand Prix		65			
DCAL	Community Festivals Fund	12	12	13	14	14
NI Screen	NEELB	12	12	12	12	8
ACNI	Major Sinclair Memorial Pipe Band				4	
ACNI	Randalstown Sons of Ulster				4	
ACNI	Staffordstown Accordion Band				5	
ACNI	Steeple Defenders Flute Band				5	
ACNI	Steeple Veterans Flute Band					5
		70	120	90	180	136

**Capital - South Antrim Constituency**

ALB/Branch	Organisation/Project	2008/09 €000	2009/10 €000	2010/11 €000	2011/12 €000	2012/13 €000
Inland Waterways	Antrim BC - Sixmilewater Seating				3	
Inland Waterways	Antrim BC - Sixmilewater Trim Trail				8	
Sport Northern Ireland	Newtownabbey Borough Council	147				
Sport Northern Ireland	Antrim Borough Council	160				
Sport Northern Ireland	Ballyclare RFC	68				
Sport Northern Ireland	Tir na nOg GAC	245				
Sport Northern Ireland	St Comgall's GAC		225			
Sport Northern Ireland	Templepatrick Cricket Club		84			
Sport Northern Ireland	Muckamore Cricket & Tennis Club		124			
Sport Northern Ireland	Antrim Sports Advisory Association		7			
Sport Northern Ireland	Templepatrick Cricket Club		7			
Sport Northern Ireland	Mossley Hockey Club			5		

ALB/Branch	Organisation/Project	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Sport Northern Ireland	Randalstown RFC			29		
Sport Northern Ireland	Academy Cricket Club			30		
Sport Northern Ireland	Ballyclare Comrades FC		232	60		
Sport Northern Ireland	Burnside Ulster Scots Society				245	
Sport Northern Ireland	Crumlin United FC				233	
Sport Northern Ireland	St James GAC				2	
Sport Northern Ireland	Glengormley Amateur Boxing Association					10
		620	679	124	491	10

### Vehicle/Boat/Plant Acquisitions: DCAL Costs

**Mr McGlone** asked the Minister of Culture, Arts and Leisure to detail the costs incurred by her Department and its agencies for (i) vehicle, boat and other plant acquisitions; and (ii) maintenance and operation, including fuel, from 2007 to date. (AQW 23158/11-15)

**Ms Ní Chuilín:** The table below summarises the costs in relation to the Department and its NDPBs.

Year	Acquisitions £	Maintenance/operation costs £
2007-08	609,700	223,514
2008-09	265,057	310,523
2009-10	706,421	544,207
2010-11	699,360	641,979
2011-12	578,639	644,899
2012-13	1,139,188	638,139

Annex A shows the breakdown of the costs for each body.

#### Annex A Department

Year	Acquisition of vehicles, boats and other plant £	Maintenance and operation costs £
2007-08	591,000	51,972
2008-09	95,000	68,407
2009-10	269,000	93,252
2010-11	331,000	101,101
2011-12	38,000	95,979
2012-13	540,000	115,088

- o The coding structure for expenses changed after 2008-09, therefore values pre and post this year may not be fully comparable.

**Armagh Observatory and Planetarium**

Year	Acquisition of vehicles, boats and other plant £	Maintenance and operation costs £
2007-08	-	-
2008-09	-	-
2009-10	-	-
2010-11	17,940	-
2011-12	-	931
2012-13	-	834

**Libraries Northern Ireland**

Year	Acquisition of vehicles, boats and other plant £	Maintenance and operation costs £
2007-08	-	-
2008-09	-	-
2009-10	-	235,707
2010-11	197,000	281,954
2011-12	350,438	298,723
2012-13	571,463	261,323

o 2009-10 was the first year of operation.

**National Museums Northern Ireland**

Year	Acquisition of vehicles, boats and other plant £	Maintenance and operation costs £
2007-08	-	32,674
2008-09	147,002	44,803
2009-10	241,741	26,337
2010-11	44,224	39,561
2011-12	-	27,057
2012-13	-	38,698

**Sport Northern Ireland**

Year	Acquisition of vehicles, boats and other plant £	Maintenance and operation costs £
2007-08	-	5,328
2008-09	23,055	9,076
2009-10	33,746	4,742
2010-11	3,438	6,084
2011-12	-	7,627
2012-13	-	7,129

**North South Bodies****Foras Na Gaeilge**

Year	Acquisition of vehicles, boats and other plant £	Maintenance and operation costs £
2007	18,700	5,077
2008	-	5,801
2009	-	3,762
2010	-	4,302
2011	15,215	9,759
2012	-	3,867

- o Financial statements are prepared on a calendar year basis. The above values are reported on the same basis.

**Waterways Ireland**

Year	Acquisition of vehicles, boats and other plant £	Maintenance and operation costs £
2007	N/A	128,463
2008	N/A	182,436
2009	161,933	180,406
2010	105,758	208,976
2011	174,986	204,823
2012	27,725	211,200

**Notes to Waterways Ireland**

- o Financial statements are prepared on a calendar year basis. The above values are reported on the same basis.
- o Costs have been calculated using the Bank of England average exchange rate for the year.
- o Maintenance and operation costs have been calculated as 15% of Waterways Ireland's total annual cost - based on the funding split between North and South for current expenditure.
- o Acquisition cost of plant, machinery and vehicles for the North are not available for 2007 and 2008.

**Pitches: Capital Funding**

**Mr Weir** asked the Minister of Culture, Arts and Leisure, in relation to sports clubs, to outline the procurement thresholds for capital funding for pitches.

**(AQW 23292/11-15)**

**Ms Ní Chuilín:** All public procurement in the north of Ireland must adhere to the Public Procurement Policy adopted by the Executive. The thresholds under that Policy for construction works and services are as follows:

Value	Procedure
Up to £5,000	Departments must demonstrate that value for money has been secured.
£5,000 to £30,000	Contractors must be registered on Constructionline. First six contractors from a randomly selected list generated by Constructionline are invited to tender. Advertise on eSourcingNI.
£30,000 to EU Thresholds	Tender process must be conducted in line with Procurement Guidance Note PGN 05/12: 'Procurement of Goods, Works and Services Over £30,000 and Below EU Thresholds'. Available on DFP website at <a href="http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/simplified-procurement-process/pgn-05-12.htm">http://www.dfpni.gov.uk/index/procurement-2/cpd/cpd-policy-and-legislation/simplified-procurement-process/pgn-05-12.htm</a>
Above EU Thresholds	Advertise on eSourcingNI. EU Directives apply – advertise in the Official Journal of the European Union (OJEU).

## Trout: Stock Status

**Mr Girvan** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 16550/11-15 and in relation to (i) pollan trout; (ii) boddagh; and (iii) black boddagh, how this information was ascertained and where this data can be accessed.

**(AQW 23326/11-15)**

**Ms Ní Chuilín:** The trout stock status report being produced the Agri-Food and Biosciences Institute (AFBI) for DCAL is currently being finalised and will be published in the near future.

## Arts: Opportunities in South Down

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure what opportunities exist in the South Down constituency for older people to get involved in the arts.

**(AQW 23335/11-15)**

**Ms Ní Chuilín:** The Arts Council of NI manage the Arts and Older People Programme which aims to increase opportunities for older people to engage with the arts. The programme is currently closed but is expected to open again later in the summer.

NI Screen's Digital Film Archive (DFA) can be accessed at 18 sites across the North of Ireland with Down County Museum being one of these locations. The DFA Education Officer also, upon request, makes regular customised presentations from the archive to any interested groups including special interest groups, community groups, historical societies, retired groups, care homes and day centres.

## Arts Council: Funding in South Down

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure to detail the groups in the South Down constituency that have been awarded funding by the Arts Council since 2011.

**(AQW 23336/11-15)**

**Ms Ní Chuilín:** Groups awarded exchequer and lottery funding by the Arts Council since 2011 are listed below:

### Financial Year 2011/12

#### Name

- |                                 |  |
|---------------------------------|--|
| ■ Belfast Music Society         | ■ Pride of the Hill Auld Boys                      |
| ■ Down Community Arts Ltd       | ■ Roden Accordion Band                             |
| ■ Discovery Publications        | ■ Upper Crossgare Pipe Band                        |
| ■ Belfast Music Society         | ■ Mourne Heritage Trust                            |
| ■ Patrician Youth Centre        | ■ Comhaltas Ceoltoiri Eireann Rinn Mhic Giolla Rua |
| ■ Ballyvea Flute Band           | ■ Youth Lyric Limited                              |
| ■ Geoghegan Memorial Pipe Band  | ■ Newcastle Arts Festival                          |
| ■ Pride of Ballinran Flute Band | ■ The Beacon Association                           |

### Financial Year 2012/13

#### Belfast Music Society

- |  |                                      |
|--|--------------------------------------|
| ■ Down Community Arts Ltd              | ■ Glenloughan Flute Band             |
| ■ Down Community Arts Ltd              | ■ Holy Cross Accordion Band Atticall |
| ■ Happenstance Theatre Company         | ■ Legananny Accordion Band           |
| ■ Dphisound                            | ■ Camphill Community Mourne Grange   |
| ■ Patrician Youth Centre               | ■ Dunnaman Children's Centre         |
| ■ Aughlisnafin Accordion Band          | ■ Holy Cross Accordion Band Atticall |
| ■ Ballymageough Accordion Band         | ■ Newcastle Arts Festival            |
| ■ Castlewellan Victoria Accordion Band |                                      |

## Boxing: South Down

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure which boxing clubs in the South Down constituency will benefit from the Amateur Boxing Strategy.

**(AQW 23337/11-15)**

**Ms Ní Chuilín:** As a result of an expression of interest exercise for the Boxing Investment Programme, nine amateur boxing clubs (ABC) from South Down have been identified as meeting the agreed eligibility criteria to receive equipment. These clubs are: -

- |                               |                               |
|-------------------------------|-------------------------------|
| ■ East Down ABC, Crossgar     | ■ Mourne All Blacks, Annalong |
| ■ John McCoy ABC, Warrenpoint | ■ Sacred Heart ABC, Newry     |
| ■ Kilmegan ABC, Castlewellan  | ■ St Brigids Cross ABC, Newry |



- St Bronaghs ABC, Newry
- St John Bosco ABC, Newry
- St Patricks ABC, Newry

Furthermore, an independent technical team is due to be appointed in July which will visit individual boxing clubs to assess the need for capital works and facility repairs. This may include clubs from South Down.

### Horse Riding Schools: Funding

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure what funding is available for horse riding schools that cater for people with disabilities and which need to purchase specialised equipment.

**(AQW 23338/11-15)**

**Ms Ní Chuilín:** Sport NI has primary responsibility for the distribution of funding to sport. At present, Sport NI does not have any funding programmes available to which horse riding schools, including those that cater for people with disabilities, can apply to purchase specialised equipment.

Horse riding schools may register with Sport NI to receive information on future funding programmes as they arise. In addition, the Sport NI website at <http://www.sportni.net/funding> holds details of alternative funding avenues that horse riding schools may wish to consider. Further information on possible assistance may also be available from Disability Sports NI and Riding for the Disabled Association.

### North West 200: Financial Assistance

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail the financial assistance her Department has provided to the North West 200, in each of the last four years.

**(AQW 23350/11-15)**

**Ms Ní Chuilín:** During the last four years, my Department through Sport NI has provided a total of £162,816 exchequer funding to the North West 200 in respect of health and safety improvements at the NW 200 circuit. The funding details are:-

- 2009/10      £100,000
- 2010/11      £ 62,816

### North West 200: Additional Assistance

**Mrs Dobson** asked the Minister of Culture, Arts and Leisure what additional assistance her Department is able to provide to the North West 200.

**(AQW 23361/11-15)**

**Ms Ní Chuilín:** You will be aware that in 2010 policy responsibility and the funding for events passed from DCAL to Department of Enterprise, Trade and Investment /NI Tourist Board (NITB). All funding for major events rests with the NITB.

The immediate priority of my Department, in terms of assisting motorcycle road race events such as the North West 200, is to encourage the promoters of such events to improve health and safety within the sport. With this in mind my Department, through Sport NI, is assisting the governing body for motorcycle road racing, the Motor Cycle Union of Ireland – Ulster Centre (MCUI-UC), to carry out a major safety review of road racing.

As part of that process, Sport NI continues to work with the MCUI in the development of a much needed Safety Code of Practice for the sport. The Code has been published and all motorcycle road races in the 2013 season, including the North West 200, are organised in accordance with the safety standards contained therein.

### World Police and Fire Games 2013: Low Participation Rates

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure, in relation to the below target bookings to date, what steps she will take to address low participation rates in the World Police and Fire Games 2013.

**(AQW 23433/11-15)**

**Ms Ní Chuilín:** The World Police and Fire Games Company continues to implement a targeted marketing and communications strategy with robust actions to maximise registrations and visitor numbers and has recruited additional marketing staff to support this focused approach.

This strategy contains a wide range of actions specifically designed to encourage registrations; both from local competitors and from across the world.

Athletes can continue to register until the start of the Games on 1 August and the Company will be making every effort to secure as many competitors as possible for what will be the friendliest Games ever.

## World Police and Fire Games 2013: Competitive Places

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure to outline how she intends to boost demand for competitive places at the World Police and Fire Games 2013.

**(AQW 23434/11-15)**

**Ms Ní Chuilín:** The World Police and Fire Games Company continues to implement a targeted marketing and communications strategy with robust actions to maximise registrations and visitor numbers and has recruited additional marketing staff to support this focused approach.

This strategy contains a wide range of actions specifically designed to encourage registrations; both from local competitors and from across the world.

Athletes can continue to register until the start of the Games on 1 August and the Company will be making every effort to secure as many registrations as possible for what will be the friendliest Games ever.

## Department of Education

### Roddensvale Special School: Hydrotherapy Pool

**Mr McMullan** asked the Minister of Education at what stage is the proposal for a hydro-therapy pool at Roddensvale Special School, Larne.

**(AQW 23765/11-15)**

**Mr O'Dowd (The Minister of Education):** As Roddensvale is a controlled school it is for the North Eastern Education and Library Board to consider all requests for capital works within agreed priorities and its available budget.

However, in addition to Roddensvale School, the Department is also planning work on new builds for five special schools and in light of requests for provision of new hydrotherapy pools at special schools; it has been in liaison with the Public Health Agency (PHA) who undertook a Strategic Review of provision.

The review raised a number of questions and concerns for both the PHA and the Department regarding the pattern of provision, the potential duplication in some areas, the usage of the pools in special schools and the training required for such usage, as well as value for money of hydrotherapy pool provision within special schools.

The Department has recently requested details of existing hydrotherapy pool provision at special schools from the five Education and Library Boards (ELBs). The data provided will be analysed to determine if the policy requires amendment. This will be in conjunction with the Department of Health and Social Services and Public Safety, ELBs, Education and Skills Authority, Education and Training Inspectorate and PHA to ensure a consistent approach to hydrotherapy provision in the north of Ireland.

### Literacy and Numeracy: Assessments

**Mrs Dobson** asked the Minister of Education to detail any contractual arrangements his Department has entered into on Northern Ireland Literacy Assessments and Northern Ireland Numeracy Assessments, including the terms and the associated costs.

**(AQW 23987/11-15)**

**Mr O'Dowd:** The Department of Education has not entered into contractual arrangements for Northern Ireland Literacy Assessments (NILA) and Northern Ireland Numeracy Assessments (NINA). The Council for the Curriculum Examinations and Assessment (CCEA) are contract holders with two suppliers for Computer-Based Assessment. NILA is provided by Tribal and NINA is supplied by Ardluce/Rising Stars. CCEA have a contract for a three year period (with the option to extend for up to two further years).

The contract costs for the two CBA assessment suppliers are as follows:

	2011/12	2012/13	2013/14	2014/15	Totals
NILA	£446,754	£195,287	£187,741	£188,045	£1,017,827
NINA	£404,000	£162,700	£141,500	£141,500	£849,700

Both contracts contain claw-back clauses and CCEA can end the contract by giving six months written notice although there are associated termination costs.

### Primary Schools: Nurture Projects

**Mr Weir** asked the Minister of Education to list the primary schools which will be funded for nurture projects.

**(AQW 24048/11-15)**

**Mr O'Dowd:** The 20 schools to receive funding for nurture group provision through the Delivering Social Change Signature Project are listed in the table below.

DE has arranged to provide funding to an additional 10 schools with existing nurture provision, whose funding has ceased or is due to cease during the life of the Signature Project. These schools are also listed in the table below.

#### Signature Project Nurture Groups

- |   |  |
|---|--|
| ■ Blackmountain Primary School, Belfast | ■ Taughmonagh Primary School, Belfast        |
| ■ Currie Primary School, Belfast        | ■ Fountain Primary School, Derry             |
| ■ Edenbrooke Primary School, Belfast    | ■ St Paul's Primary School Slievemore, Derry |
| ■ Edmund Rice Primary School, Belfast   | ■ Tullygally Primary School, Craigavon       |
| ■ Harmony Primary School, Belfast       | ■ St Malachy's Primary School, Newry         |
| ■ Holy Trinity Primary School, Belfast  | ■ Ballycraigy Primary School, Antrim         |
| ■ St Aidan's Primary School, Belfast    | ■ Hapurs Hill Primary School, Coleraine      |
| ■ St Clare's Primary School, Belfast    | ■ Harryville Primary School, Ballymena       |
| ■ St Joseph's Primary School, Belfast   | ■ Bloomfield Primary School, Bangor          |
| ■ St Malachy's Primary School, Belfast  | ■ West Winds Primary School, Newtownards     |

#### Nurture Groups to be funded by DE

- |  |  |
|--|--|
| ■ Good Shepard Primary School, Poleglass         | ■ St Colmcille's Primary School, Downpatrick |
| ■ St Kieran's Primary School, Poleglass          | ■ Ballysally Primary School, Coleraine       |
| ■ St Luke's Primary School, Twinbrook            | ■ Rathcoole Primary School, Newtownabbey     |
| ■ Tullycarnet Primary School, Dundonald, Belfast | ■ Holy Family Primary School, Derry          |
| ■ Kilcooley Primary School, Bangor               | ■ St Brigid's Primary School, Derry          |

#### Lismore Comprehensive School: Newbuild

**Mrs D Kelly** asked the Minister of Education for an update, including timescales, on the proposed new build of Lismore Comprehensive School, Craigavon.

**(AQW 24248/11-15)**

**Mr O'Dowd:** While Lismore Comprehensive will be disappointed that they were not included in my capital investment announcement of January 13, this in no way implies that they will not be considered for funding at a later stage within the on-going area planning process. The reality is that the budget settlement for Education means the need for investment far exceeds the funds available. I am not able at this time to give a date as to when I will be in a position to announce further capital investment in major school builds.

#### Legislation: DE

**Mr Weir** asked the Minister of Education to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24292/11-15)**

**Mr O'Dowd:** The list of the current and planned legislation the Department will bring to the Assembly before the end of the current term is:-

- Special Educational Needs Bill
- General Teaching Council Northern Ireland Bill
- Education Bill
- General & Vocational Qualifications Bill

#### Tree and Hedge-cutting Contracts

**Mr Agnew** asked the Minister of Education how many tree and hedge cutting contracts his Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years.

**(AQW 24348/11-15)**

**Mr O'Dowd:** The Department of Education and a number of its smaller Arm's-Length Bodies (ALBs) did not award any tree and hedge cutting contracts between 1 March and 31 August in any of the last three years. Those ALBs are: the Staff Commission for the Education and Library Boards; the Council for the Curriculum, Examinations and Assessment; Youth Council; Comhairle na Gaelscolaíochta; Council for Integrated Education; General Teaching Council.

The table below provides the number of tree and hedge cutting contracts awarded by DE ALBs from 1 March to 31 August, in each of the last 3 years:

Organisation	No. of contracts awarded from 1 Mar to 31 Aug for 2010-11; 2011-12; and 2012-13	Notes
BELB	2	
NEELB	1	
SEELB	1	
WELB	68	a)
SELB	2	b)
Council for Catholic Maintained Schools	1	c)
Middletown Centre for Autism	1	

**Notes:**

- a) WELB is the only ELB which does not currently have a Term Service Contract which includes tree surgery / hedge cutting. It is for this reason, that WELB reports a large number of small value orders placed during the periods in question.
- b) SELB has no contracts specifically for tree and hedge cutting, but rather its contracts with lead building contractors include tree maintenance as a supplementary skill.
- c) CCMS engaged tree maintenance services on a single occasion following storm damage.

**Drumcree College: Ministerial Visit**

**Mrs D Kelly** asked the Minister of Education whether he has any plans to visit Drumcree College in the next four months. (AQW 24391/11-15)

**Mr O'Dowd:** As is the case with any school if Drumcree College issues a formal invitation to me I will be happy to consider it.

**Literacy and Numeracy: Standards**

**Mr Rogers** asked the Minister of Education how he will measure the effectiveness of employing 230 additional teachers in raising numeracy and literacy standards as part of the Delivering Social Change agenda. (AQW 24457/11-15)

**Mr O'Dowd:** The Delivering Social Change Project will be monitored and evaluated to ensure that the project is being delivered in accordance with its stated aims and to measure the effectiveness of this approach to improving literacy and numeracy for pupils at risk of underachievement.

ELB officers have been appointed to provide support to schools to manage their delivery of this project. They will also ensure that schools are adhering to the objectives of the project and are on target to achieve the outcomes agreed in their school development plans.

The monitoring of the outcomes of pupils will be collected and analysed at 3 levels, system level; school level and pupil level. There will be a statistical analysis of the Key Stage 2 data and GCSE results for English and maths for the two academic years covered by the project. At school level, participating schools have to include an action plan in their school development plan to set out the expected outcomes for the recent graduate teacher and for the pupils who will receive extra support and interventions as a result of this project. At pupil level, pupils will be assessed prior to receiving support and following the interventions agreed for them. Finally, details of pupils' actual grade/level of achievement in the GCSE exams or key stage 2 assessment will be collected.

It is planned that the Education and Training Inspectorate (ETI) will conduct an independent Post Project Evaluation of the project including assessment of the outcomes for the pupils targeted and the teachers provided with employment experience during the project.

**Teachers: Recognition to Teach**

**Mr Storey** asked the Minister of Education how many teachers have had their recognition to teach withdrawn in each of the last ten years. (AQW 24494/11-15)

**Mr O'Dowd:** Under regulation 9 of the Teachers' (Eligibility) Regulations (Northern Ireland) 1997, the Department may prohibit or restrict the employment or further employment of a person eligible to teach. In the last ten years, the eligibility to teach of twenty five individuals has been withdrawn under that provision. It is not possible to provide the information requested broken down by year as the small numbers involved would require a high level of suppression to prevent identification of an individual, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.

### Post-primary Pupils: Transport in North Down

**Mr Weir** asked the Minister of Education what was the cost to his Department of transporting post-primary school pupils from the North Down Borough Council area to schools outside North Down in 2012/13; and what was the cost for pupils from other council areas travelling to post-primary schools in North Down.

**(AQW 24516/11-15)**

**Mr O'Dowd:** The South Eastern Education and Library Board has informed me that the cost of transporting post-primary pupils from the North Down Borough Council Area to schools outside North Down is £1,414,350. The cost of transporting post-primary pupils from other council areas to post-primary schools in North Down is £124,212.

### Area-planning: SELB

**Mrs Dobson** asked the Minister of Education when he will respond to my letters of 9 May 2013 and 24 May 2013 relating to the Area Planning Process being conducted by the Southern Education and Library Board and its impact on the Controlled Schools in the Dickson Plan catchment area.

**(AQW 24521/11-15)**

**Mr O'Dowd:** My reply to your letters of 9 and 24 May regarding the Area Planning Process conducted by the Southern Education and Library Board in relation to controlled schools in the Dickson Plan issued from my office on 18 June.

### Grammar School: Admissions on Appeal

**Mr D Bradley** asked the Minister of Education how many pupils appealed to gain a grammar school place in each of the last three years, broken down by school.

**(AQW 24524/11-15)**

**Mr O'Dowd:** The Education and Library Boards have advised me that the number of pupils who appealed to gain a grammar school place in each of the last three years, broken down by school, are as provided in the table below.

#### BELB

School	2010/11	2011/12	2012/13
Acquinas Grammar School	4	1	4
Belfast Royal Academy	2	5	1
Bloomfield Collegiate	5	3	2
Dominican College	2	1	2
Grosvenor High School	3	3	3
Hunterhouse College	3	3	6
Methodist College	1	2	1
Rathmore Grammar School		6	1
St Dominics High School	4	4	3
St Malachy's Grammar School	2	2	1
St Mary's Grammar School	4		
Strathearn College		2	1
Royal Belfast Academical Institution	2	4	2
Victoria College	7	1	5
Wellington College	3	8	6

#### WELB

School	2010/11	2011/12	2012/13
Christian Brothers Grammar School	3	6	1
Collegiate Grammar School	1		1
Foyle & Londonderry College	2		1
Lumen Christi College	3	2	4
Mount Lourdes Grammar School	6	4	11

School	2010/11	2011/12	2012/13
St Columb's College	2	4	
St Michael's College	5	3	5
Strabane Grammar School			
Thornhill College	3		1
Loreto Grammar School		2	4

**NEELB**

School	2010/11	2011/12	2012/13
Antrim Grammar School		1	1
Ballymena Academy	2		1
Ballyclare High School	3	6	
Carrickfergus Grammar School	3	4	1
Cambridge House School	4	5	1
Coleraine Academical Institution	5		2
Coleraine High School	3	3	1
Larne Grammar School	2	1	2
Rainey Endowed School		1	2
St Louis Grammar School	1	1	9
St Mary's Grammar School		4	2
Dalriada	4		
Dominican College	3		
Loreto College	2	1	
Belfast High School		2	
Ballyclare High School			1

**SEELB**

School	2010/11	2011/12	2012/13
Assumption Grammar School	5	3	
Bangor Grammar School	3	4	
Down High School	2	4	
Friends School		3	3
Glenlola Collegiate School	4	5	2
Our Lady & St Patrick's College	7	1	9
Regent House Grammar School	1	1	
St Patrick's Grammar School	10	2	
Sullivan Upper School	1	2	
Wallace High School	3	4	2

**SELB**

School	2010/11	2011/12	2012/13
Banbridge Academy	4	3	7
Christian Brothers' Abbey Grammar School	5	8	5
Our Lady's Grammar School	4		3
Royal School, Armagh	4	1	3
Royal School, Dungannon	1		
Sacred Heart Grammar School	4	1	7
St Colman's College	11	6	8
St Joseph's Grammar School, Donaghmore	5	3	3
St Louis Grammar School	4		1
St Patrick's Academy	6	4	1
St Patrick's Grammar School, Armagh	10	8	2
<b>Total</b>	<b>193</b>	<b>158</b>	<b>145</b>

**Children and Families Bill: Sex and Relationship Education**

**Ms Lo** asked the Minister of Education for his assessment of the recent amendment tabled to the Children and Families Bill in Westminster which sought to include Sex and Relationship Education in the curriculum; and whether he is considering introducing anything similar to the Northern Ireland Curriculum.

**(AQW 24572/11-15)**

**Mr O'Dowd:** I recognise the importance of Relationships and Sexuality Education (RSE) and the revised curriculum, which has been taught to all pupils of compulsory school age in the north of Ireland since 2009/10, places greater emphasis on preparing children for all aspects of life and work.

Through the Personal Development and Mutual Understanding (primary) and Learning for Life and Work (post-primary) Areas of Learning within the revised curriculum, pupils have opportunities to learn how to sustain their personal health, explore the implications of sexual maturation and the qualities of respectful relationships; as well as opportunities to identify and exercise their rights and social responsibilities. RSE is an integral part of these Areas of Learning.

Schools in the North are required to have in place a written policy setting out how they will address RSE, which has been subject to consultation with parents and endorsed by the Board of Governors. Guidance provided by the Department of Education states that RSE must be delivered in schools within a moral framework and taught in a sensitive manner that is in keeping with the ethos of the school and which is appropriate to the needs and maturity of their pupils.

A key strength of the Revised Curriculum is the flexibility it provides to teachers to introduce topics in ways that best meet the needs and interests of their pupils. In line with this flexibility, the specifics of what is taught and how, under each Area of Learning, is a matter for each teacher/school.

I have no plans to make any legislative changes to introduce any further compulsory elements to the curriculum.

**Victoria Park Primary School: Newbuild**

**Mr Storey** asked the Minister of Education how many classrooms will be provided in the new build for Victoria Park Primary School; and how this number was decided upon.

**(AQW 24632/11-15)**

**Mr O'Dowd:** The new school building for Victoria Park PS will provide 12 class bases. This is the number deemed adequate to meet the projected area based needs and will provide educational facilities for an enrolment band of children 321-350 from the area currently served by Victoria Park Primary School.

**Education and Library Boards: Recurrent/Capital Expenditure**

**Mr Storey** asked the Minister of Education what was the (i) recurrent and (ii) capital expenditure outturn in 2012/13 for each Education and Library Board.

**(AQW 24635/11-15)**

**Mr O'Dowd:** Details of the (i) recurrent and (ii) capital expenditure outturn in 2012-13 for each Education and Library Board are provided in the tables below:

(i) Recurrent Expenditure outturn

ELB	£000's
BELB	252,791
NEELB	307,306
SEELB	280,615
SELB	343,233
WELB	306,966
<b>Total</b>	<b>1,490,911</b>

(ii) Capital Expenditure Outturn

ELB	£000's
BELB	16,497
NEELB	11,815
SEELB	9,265
SELB	10,494
WELB	8,716
<b>Total</b>	<b>56,787</b>

**Note:** Figures include Youth expenditure and are taken from the 2012-13 Provisional Outturn returns. They are therefore subject to change until the year end accounts are finalised and Final Outturn confirmed.'

### Education and Skills Authority: Implementation Team/Staff

**Mr Storey** asked the Minister of Education how many staff are currently working in the Education and Skills Authority Implementation Team.

**(AQW 24636/11-15)**

**Mr O'Dowd:** As of 25 June 2013 there are 23 full time and 4 part-time staff working in the Education and Skills Authority Implementation Team

### Youth Provision: Rathcoole

**Ms P Bradley** asked the Minister of Education for his assessment of the current North Eastern Education and Library Board youth provision in Rathcoole.

**(AQO 4359/11-15)**

**Mr O'Dowd:** It is the responsibility of each Education and Library Board to decide the level of local youth provision in line with the Department's priorities, the funding available and based on their assessment of need within the area.

In Rathcoole, the NEELB supports a wide range of general youth provision and more targeted youth projects delivered by both the statutory and voluntary youth sectors.

Funding ranges from small block grants for uniformed groups, to the funding of a large Controlled Unit, which is open six nights per week. Provision also includes a full-time Detached/Outreach Area Youth Worker, a summer scheme and other targeted youth schemes to address specific needs which have been identified in the area.

### School Leavers: Qualifications

**Mr McQuillan** asked the Minister of Education what measures he is putting in place to reduce the number of pupils leaving school with no qualifications from 339 in 2012.

**(AQO 4360/11-15)**

**Mr O'Dowd:** High quality teaching and learning are at the core of tackling underachievement. My policies to raise education standards are delivering improvements for our young people.

The percentage of school leavers with no qualifications has significantly reduced in the last five years from 2.8% to 1.5%. This represents a reduction from 671 to 339 pupils.

Over the same period, the percentage of school leavers achieving 5+ GCSEs grades A\*-C, including English and GCSE maths has increased from 56% to 62%.

It is unacceptable for any pupil to leave school with no qualifications. More needs to be done and I have brought forward a range of innovative programmes to further address underachievement and to raise standards.

The Delivering Social Change Project will provide literacy and numeracy tuition in schools and £1 million will be spent on a literacy and numeracy capacity building project for teachers of English and maths.

Equally, we need to raise parental aspirations and the value of education within our communities. That is why I launched the 'Education Works' advertising campaign last year.

We will also need to develop a range of interventions to integrate different services and to help schools reach into their communities. I have earmarked £2 million to be spent in each of the next two years on community education initiatives to provide educationally focused programmes in communities, with particular concentrations of educational disadvantage.



However, the continued use of academic admissions criteria by grammar schools is a barrier to addressing underachievement in disadvantaged communities.

It disadvantages children from those communities even further as evidenced by the disproportionately low number of pupils entitled to free school meals who attend grammar schools. It damages children's confidence, their motivation to learn, and lowers their expectations of themselves, contributing to the high levels of underachievement we are seeking to tackle. That is why academic selection for admissions purposes needs to end now and I am working to bring that about.

The appropriate time to assess the academic ability of a child is after they have been admitted to a school. This will enable the school to determine how they can best meet the educational needs of each child and ensure that they achieve their full potential. Academic assessment for streaming or banding purposes after a child has been admitted to a school correctly puts the focus on meeting the needs of the child, not the institution.

### **Free School Meals: Post-primary Pupils**

**Mr F McCann** asked the Minister of Education to outline the expected benefits that will result from his decision to extend the Free School Meals criteria to post-primary children.

**(AQO 4361/11-15)**

**Mr O'Dowd:** On 11 June 2013 I announced how I intend to take forward the recommendations from the "Independent Review of the Common Funding Scheme". The Review includes a specific recommendation to adjust the eligibility criteria for free school meals which I have accepted.

This will mean that, from September 2014, the same eligibility criteria for free school meals for both primary and post primary pupils will apply. I am pleased to advise that this will benefit an estimated additional 15,000 children from lower income households.

Research demonstrates that there is a clear link between a healthy diet and children's concentration, behaviour and performance at school. Healthy free school meals, therefore, play an important role in addressing the particular barriers that children from lower income backgrounds face in accessing and participating fully in school life and achieving their potential.

As young people from deprived backgrounds are at particular risk of educational underachievement, additional funding is provided to schools for each pupil entitled to free school meals with further funding made available to support those schools serving our most disadvantaged communities.

My announcement on 11 June signalled my intention to increase that funding by an additional £10 million in 2014-15 and a further £10 million in 2015-16.

This will mean that, in addition to the direct benefits to children and young people from free school meals, they will also benefit from more targeted support at school.

I consider that this will directly contribute to my Department's aim to address educational underachievement and help break the link between social disadvantage and low educational attainment.

### **Education and Skills Authority: Dickson Plan**

**Mr Gardiner** asked the Minister of Education how the Dickson model of education would be supported by the Education and Skills Authority.

**(AQO 4362/11-15)**

**Mr O'Dowd:** It is the responsibility of the relevant managing authorities in the first instance to determine the most appropriate structure of education provision for children living in the Dickson plan area.

With regard to the controlled sector, the Southern Education and Library Board (SELB) recently issued an options paper to the Boards of Governors of all of the controlled post-primary schools in the Dickson Plan. This paper summarised the two main options for future provision arising from the area plan consultation.

The returns from the consultation with the Boards of Governors will be taken into account, by the SELB, alongside all other evidence and data, including departmental policy, when deciding the way forward.

Should agreement on the way forward for all Dickson Plan schools be reached before the establishment of the Education and Skills Authority (ESA), the Authority will of course support whatever models are ultimately adopted for future provision in the area.

However, should the way forward not be determined prior to the establishment of ESA, then it will be a matter for ESA as the new managing authority to determine the model for future provision, taking into account the area planning work undertaken by the SELB and the CCMS.

### **Sustainable Schools Policy: Small Schools**

**Mrs D Kelly** asked the Minister of Education whether, in order to protect strategically important small schools, he plans to introduce a Small Schools Policy as part of the Sustainable Schools Policy.

**(AQO 4364/11-15)**

**Mr O'Dowd:** The Independent Review of the Common Funding Scheme recommended the development of a Small Schools Policy which would identify and safeguard strategically important small schools.

As I noted in my statement to the Assembly on 11 June 2013, I have no difficulty with the thinking behind this recommendation, however I do not believe that another policy is necessary.

The Sustainable Schools policy already provides a framework, including criteria and quality indicators, to help managing authorities assess schools' sustainability. This is complemented by the area planning process which is designed to ensure that schools are planned strategically to deliver sustainable, high quality education.

Within this context therefore, I will be providing further clarification on the circumstances as to when a small school will be retained and how it will be supported.

### **Social Media/Internet: Post-primary Schools**

**Mr Irwin** asked the Minister of Education to outline the resources available to teaching staff in the post-primary sector to educate, instruct and protect pupils in the use of the internet and social media.

**(AQO 4365/11-15)**

**Mr O'Dowd:** The revised curriculum which has been taught to all pupils of compulsory school age since 2009/10 is less prescriptive and the Department does not prescribe specific resources or programmes that teachers/schools should use in their delivery of the curriculum.

Safe use of the internet and social media is an integral aspect of ICT and as such is explicitly incorporated within the Council for Curriculum, Examination and Assessment's (CCEA) ICT assessment frameworks and qualifications. CCEA has produced a number of resources to assist teachers, including guidelines on sourcing images, copyright and plagiarism and reference is made to 'safe use' in the Levels of Progression document for Using ICT at Key Stages 1,2 and 3.

All CCEA produced resources are available to all teachers via the 'Using ICT' section of the curriculum website.

In addition, a number of resources are available via C2k, which provides the managed ICT services for all schools. These resources are designed to act as a starting point for schools to create appropriate policies and access teaching and learning resources for their staff, students and parents. The resources include videos, lesson support materials, current research, access to support services and parent resources such as - 360 Degrees Safe, UK Safer Internet Online Safety Briefings, Vodafone Digital Parenting Magazine and Professionals Online Safety Helpline. Access to C2k's resources has been widely communicated to schools via conferences, email, school training and intranet.

While these resources are available, the selection of resources to be used in curricular delivery is a matter for each teacher/school.

### **Glenwood Primary School and Edenderry Nursery School, Belfast**

**Mr Humphrey** asked the Minister of Education to outline the timescale for the construction of the new Glenwood Primary School and Edenderry Nursery School, Belfast.

**(AQO 4366/11-15)**

**Mr O'Dowd:** Glenwood Primary School and Edenderry Nursery School, Belfast was one of the 22 projects included in my announcement in January 2013 to be advanced in planning. It is a joint project and as they are controlled schools it will be managed by the Belfast Education and Library Board. The BELB have advised that they are currently in the process of finalising a target programme for Glenwood Primary which will be submitted to DE end of June 2013. The BELB have confirmed that they are currently in the process of finalising the Economic Appraisal for Edenderry Nursery School with a view to submitting this for consideration by DE at end of August 2013.

### **Lisanelly Shared Education Campus**

**Ms Boyle** asked the Minister of Education for his assessment of the significance of the decision by Loreto College to join the Lisanelly Project in terms of the build proceeding.

**(AQO 4367/11-15)**

**Mr O'Dowd:** I welcome the news that Loreto College has signed a Memorandum of Understanding with the Department, recording its commitment to the development of post-primary education provision in Omagh through the Lisanelly Shared Education Campus.

This is a significant step forward for an important, flagship Programme for Government project that has wide support within the Executive and among the local community. I am delighted that the project now also has the support of all six schools identified for relocation to the Campus.

This news, taken alongside the recent announcement from Minister Atwood that the project has been recommended for outline planning approval, means that we can now proceed with detailed planning of the build programme, in conjunction with educational stakeholders.

I look forward to engaging fully with Loreto, and the other schools in the area, on making the Lisanelly project a reality and in securing a shared educational future for our young people.

## Delivering Social Change: Junior High Schools, Craigavon

**Mr Storey** asked the Minister of Education whether the Delivering Social Change initiative will be available to Junior High Schools in the Craigavon area.

**(AQW 24642/11-15)**

**Mr O'Dowd:** I would refer the Member to my answer to AQW 23873/11-15, tabled by Jo-Anne Dobson MLA and published in the Official Report on 21 June 2013.

## Primary-school Applications: False Addresses

**Mr Weir** asked the Minister of Education what sanctions can be taken against parents who use a false address when making an application for admission to a primary school for their child; and on how many occasions, in each of the last five years, have these sanctions been applied.

**(AQW 24693/11-15)**

**Mr O'Dowd:** As a result of a 2007 Judicial Review, Boards of Governors have a duty to verify "qualifying information" contained within applications to their school if, at the point of applying their admissions criteria, they have a "general knowledge or belief" of a problem with false information within applications.

If a parent is found to have used a false address the offer of their place at the relevant school will be withdrawn by the school.

As the 'duty to verify' rests entirely with the Board of Governors of each school, the Department does not hold information in relation to how many pupils have lost a school place on this basis in the last five years.

## Department for Employment and Learning

### Unemployment: North Down

**Mr Weir** asked the Minister for Employment and Learning to detail the organisations that receive funding to tackle youth unemployment in North Down.

**(AQW 24080/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Youth unemployment continues to be a major area of concern for me, with the most recently published figures indicating that there are 475 (18-24 year old) on Jobseekers Allowance in North Down and 550 in Newtownards. (Source DSD Analytical Services).

To tackle this, and adding to my Department's portfolio of provision, you will be aware that last year my Executive colleagues and myself agreed a range of interventions to help address this. The Youth Employment Scheme (YES) which I introduced in July 2012 offers a series of measures to help young people gain experience, acquire new skills and find employment.

My officials are actively working with employers and organisations to secure as many YES opportunities for young people as quickly as possible. I have been encouraged by the response of employers so far, and I expect many more to come forward to offer opportunities for young people in the coming months.

Steps to Work (StW) is my Department's main adult return to work programme. It provides a wide range of assistance to help people find employment. This includes work experience placements, training and subsidised employment. The programme is available for those aged 18 or over (lone parents 16 or over) who are not in employment of 16 hours or more each week. Those aged 18-24 years old, who have been claiming Jobseeker's Allowance (JSA) for six months, will be required to participate on the programme.

In the North Down area 513 young people are currently availing of this programme. StW is delivered through a network of contracted providers. Within the North Down area the programme is delivered by the South Eastern Regional College.

The Training for Success (TfS) programme provides a guaranteed training opportunity for all eligible, unemployed, young people aged 16 and 17 (up to 24 years for those requiring additional support), which aims to progress participants to higher level training, further education, or employment by providing training to address personal and social development needs, develop occupational skills and employability skills and, where necessary, Essential Skills training. The following Training Suppliers are contracted to deliver TfS in the North Down area:

- Rutledge Recruitment and Training (Bangor)
- South Eastern Regional College (Newtownards)
- North Down Training and Datalink Reprographics Ltd
- DFPF Ltd (People 1st)
- Hair Academy/Jennymount
- Seven Towers Training
- Totalis People Ltd

All of this funding was formally agreed and contracts awarded, subject to the requirements and processes of government procurement. As you can see, my Department is working with a wide range of organisations in the North Down area to maximise our efforts to tackle youth unemployment.

### Legislation: DEL

**Mr Weir** asked the Minister for Employment and Learning to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24294/11-15)**

**Dr Farry:** The Department for Employment and Learning is working to bring two pieces of legislation to the Assembly before the end of the current term: the Employment Bill and the Work and Families Bill.

### Dignity at Work: Jobs and Benefits Offices

**Mr Spratt** asked the Minister for Employment and Learning, pursuant to AQW 23576/11-15, to detail (i) how many Dignity at Work cases have been lodged with his Department by staff working at Jobs and Benefits offices, in each of the last five years; and (ii) how many of these have been resolved.

**(AQW 24338/11-15)**

**Dr Farry:** Part (i)

The number of cases that have been lodged with the Department for Employment and Learning by staff working at Jobs and Benefits Offices in each of the last five years is set out in Table 1. The number that have been resolved are set out in Table 2.

**Table 1: Number of Dignity at Work cases that have been lodged**

Year	Cases lodged
2008/09	1
2009/10	3
2010/11	3
2011/12	5
2012/13	6
<b>Total</b>	<b>18</b>

**Table 2 Number of Dignity at Work cases that have been resolved**

Year	Cases resolved
2008/09	1
2009/10	3
2010/11	3
2011/12	4
2012/13	2
<b>Total</b>	<b>13</b>

The details of the 5 cases which remain ongoing, including the year that the cases were lodged are set out in Table 3.

**Table 3 Details of cases which are currently ongoing.**

Year	Stage		
	Prelim Decision Stage	Investigation Stage	2nd Appeal
2011/12	0	0	1
2012/13	1	2	1
<b>Total</b>	<b>1</b>	<b>2</b>	<b>2</b>

## NEETs: Dungannon

**Ms McGahan** asked the Minister for Employment and Learning to detail the number of young people not in employment, education or training in the Dungannon district, from January 2013 to date; and the initiatives his Department is undertaking to address this issue.

**(AQW 24417/11-15)**

**Dr Farry:** It is not possible to provide robust estimates of the number of young people who are not in employment, education or training in any individual District Council area due to sample size constraints in the Labour Force Survey (LFS). However, estimates of those who are not in employment, Government supported training or full-time education are available at the Northern Ireland level from the LFS.

For the period January –March 2013, in Northern Ireland, the LFS estimated that there were 42,000 (19.1%) 16-24 year olds who were not in employment, Government supported training or full-time education.

My Department recently introduced several new initiatives through the 'Pathways to Success' strategy to assist all young people including those who are not in employment, education or training (NEET), in the Dungannon District area and throughout Northern Ireland.

The Collaboration and Innovation Fund is designed to help who are not in employment, education or training to improve their employability prospects. Over £9 million will be provided to eighteen organisations from the community, voluntary and educational sectors to enable them to assist 5,500 unemployed young people from December 2012 to March 2015.

In the Dungannon District area, three organisations are supported by the fund:

- South West College Connections project aims to assist 300 young people with general and specific employability barriers in the Dungannon, Coalisland, Omagh and Enniskillen areas. The project will provide early interventions such as intensive transition point provision, assessment of need, mentoring, signposting and employability workshops;
- The Appleby Trust Print Room project will deliver a specialist two year pathway to employment programme for unemployed young people with Aspergers Syndrome within the Southern Health and Social Care Trust; and
- The Training for Women Network Gateway to Progression Project provides a tailored programme of one-to-one support and group activities to engage and support young women who face a range of employability issues.

In addition, my Department introduced the Pathways for Young People Allowance which ensures there are effective incentives in place for eligible young people to participate in projects which re-engage them with learning and training programmes. The Pathways for Young People Allowance will also be made available to eligible young people participating on Collaboration and Innovation project activity.

The Community Family Support Programme pilot is currently being trialled in East & West Belfast, Strabane, Cookstown and Newtownabbey to support parents, help prevent younger family members falling into the NEET category and help other young family members already in this situation to re-engage with education, training or employment. The intention is to roll this out to other areas including Dungannon, later this year.

The Department will also fund a Community Based Access Programme pilot which will commence in September 2013 and will enable 16 to 18 years olds increase their essential skills qualification and progress into further education and other government funded training.

In addition to the initiatives for young people who fall into the NEET category, my Department's Employment Service provides a wide range of initiatives and programmes to help address youth unemployment.

Steps to Work is the Department's main return to work provision. It is a flexible programme which tailors provision to the individual's need with the aim of assisting participants to find and sustain employment. It offers a wide range of provision including work experience, essential skills training, qualifications, subsidised employment, and assistance with self-employment. In the South Tyrone area South West College is the Lead Contractor and is funded to deliver this programme on behalf of the Department. The Lead Contractor will involve other organisations in the delivery of the programme.

As part of the Executive's Economy and Jobs Initiative, an additional strand was added to the Steps to Work Programme. First Start is a targeted intervention for unemployed 18 to 24 year olds which provides a period of supported employment for a minimum of 6 months within either the private, public or third sector. This strand is focused on those who have been unemployed and claiming Jobseeker's Allowance for at least 6 months.

My Department's Disability Employment Service provides programmes and services to help young people with disabilities to progress towards and move into employment. These include programmes such as Work Connect, Workable, Access to Work, Work Connect and the Job Introduction Scheme. All of this specialist disability provision can be accessed via the local Jobs and Benefits Office in Dungannon.

In addition, my Department provides financial assistance to Parkanaur College which provides employability training and vocational qualifications for young people with disabilities.

Youth unemployment continues to be a major area of concern for me and my Executive colleagues and together we agreed a range of interventions to help address this. The Youth Employment Scheme which I introduced in July 2012 offers a series of measures to help young people gain experience, acquire new skills and find employment. The scheme is delivered by Employment Service staff based in Jobs and Benefits offices and JobCentres across Northern Ireland including Dungannon.

Between April 2012 and March 2013 425 young people in the Dungannon area have been helped into work and a further 65 have found work during April and May 2013.

Young people residing in the Dungannon district who have a common employability barrier, such as the homeless, ex-offenders/ex-prisoners; people with a history of drug/alcohol misuse and care leavers can access the Local Employment Intermediary Service, on an outreach basis. Network Personnel based in Cookstown deliver the outreach service in the Dungannon area under the name of Source.

The Department's Training for Success programme is designed to enable participants to progress to higher level training, further education, or employment by providing training to address personal and social development needs, develop occupational skills and employability skills and, where necessary, Essential Skills training. The programme is available across Northern Ireland and is delivered by contracted Training Suppliers on behalf of the Department.

Also, the South West Colleges' 'Step Up To Sustainable Employment (SUSE)' project which aims to improve the employability of young people who are NEET through a structured partnership agreement, is funded through Priority 1 of the Northern Ireland European Social Fund Programme.

Furthermore, my Department's Careers Service provides an impartial all-age careers information, advice and guidance service to clients throughout Northern Ireland including those not in employment, education or training. Training Agreements are in place with all eleven post-primary schools, the Further Education College and Training Suppliers in the Dungannon District Council area. The Agreements enable the Careers Service to case manage all young people aged 16 and 17 including those who drop out of provision or do not have a positive destination when they leave, thus supporting and signposting young people to provision that meets their individual needs.

I hope that you find this information useful.

## Steps 2 Success/Youth Employment Scheme

**Mr Lyttle** asked the Minister for Employment and Learning how the Steps to Success Employment Programme and the Youth Employment Scheme will help people obtain jobs.

**(AQW 24448/11-15)**

**Dr Farry:** Addressing unemployment continues to be a priority for the Northern Ireland Executive and for my Department.

The Steps 2 Success programme has been designed to allow contracted providers the flexibility to determine how best to work with clients to address their employment barriers. Steps 2 Success will focus on positive outcomes and sustained employment, reinforced through the funding model for providers which will include rewards for sustained employment; payments will be made at intervals from job entry to 12 months as the client sustains employment. Providers will receive a further payment if a participant finds work while gaining a relevant accredited qualification through Steps 2 Success. Better performance will be encouraged by providing higher funding levels where a provider exceeds the performance targets set by the Department.

I have put the Youth Employment Scheme into place to help young people gain experience, acquire new skills and find employment. The scheme is based on the fact that employability skills are more readily obtained by active participation in a work setting with an employer or in a voluntary organisation. A work experience opportunity/placement with an employer also offers the chance to sample a range of work and improve levels of confidence and motivation and often, to gain additional qualifications in the workplace.

The Youth Employment Scheme is in addition to the range of provision already delivered by my Department and contracted providers.

## Youth Employment Scheme: North Down

**Mr Weir** asked the Minister for Employment and Learning to detail the number of 16 to 24 year olds in the North Down constituency who are availing of the new Youth Employment Scheme.

**(AQW 24475/11-15)**

**Dr Farry:** Addressing youth unemployment, in all areas of Northern Ireland including North Down, remains a priority.

In the period from the launch of the Youth Employment Scheme (YES) on 2 July 2012 to 14 June 2013, a total of 67 young people have participated in YES in North Down (the area served by Bangor and Newtownards Jobcentres).

Included in this figure are 26 young people who have secured permanent employment for which the employer is receiving the YES enhanced employer subsidy. A further 28 young people have availed of work experience opportunities to sample work and develop their employability skills, and 13 young people are currently availing of the YES skills development programme where they can develop their skills and gain work related qualifications.

My Department is also actively working with employers to secure as many opportunities as possible across Northern Ireland including the North Down area for young people. I have been encouraged by the response of employers so far and I expect many more to come forward to offer opportunities for young people in the coming months.

I consider the scheme to be successful with numbers of participants increasing steadily and I would ask you to encourage businesses in your respective constituency to support this scheme and also to encourage young unemployed constituents to take up the opportunities.

### Education Maintenance Allowance: North Down

**Mr Weir** asked the Minister for Employment and Learning how many pupils in North Down received Education Maintenance Allowance in each of the last five years.

**(AQW 24562/11-15)**

**Dr Farry:** I can advise the member that the total number of Northern Ireland domiciled learners attending schools, colleges and FE Colleges in receipt of Education Maintenance Allowance in North Down for the last five academic years are as follows:

Academic year	Total number of pupils in receipt of EMA in North Down
2008/2009	590
2009/2010	690
2010/2011	750
2011/2012	755
2012/2013	790

### Unemployment: East Antrim

**Mr Beggs** asked the Minister for Employment and Learning to outline how he is working to address youth unemployment in East Antrim.

**(AQO 4376/11-15)**

**Dr Farry:** Since the launch last September of the Youth Employment Scheme, almost 80 employers have signed agreements to participate in the scheme in East Antrim.

To date there have been 97 opportunities advertised in East Antrim, with 50 young people availing of the scheme. There are also 54 temporary employment opportunities currently available under the new 'First Start' initiative; this was established as a direct response to the economic downturn and as part of the Northern Ireland Executive's Economy and Jobs Initiative. It is an additional employment strand for unemployed 18-24 year olds.

Steps to Work remains my Department's main adult return to work programme. It provides a wide range of assistance to help people find employment. The programme is available to all age groups, including those aged 18-24. In addition, the Training for Success programme provides a guaranteed training place for all unemployed young people in the 16-17 age group.

I recently introduced two new initiatives to help address youth unemployment, which include provision in East Antrim.

The Collaboration and Innovation Fund seeks to explore new approaches to address employability barriers faced by young people not in education, employment or training.

Over £4 million has been allocated to eight organisations that will provide support to unemployed young people in East Antrim, with the capacity to assist over 2,100 young people.

Newtownabbey is also one of the new Community Family Support Programme pilot areas. The programme will provide ten disadvantaged families with support to improve their parenting skills and re-engage all family members with education, employment and training.

Across East Antrim, Employment Service staff continue to work in partnership with local councils to deliver Jobs and Opportunities events. They also collaborate with LibrariesNI to deliver successful Jobclubs, which help young unemployed people address barriers to employment.

### Steps 2 Success: Legal Challenges

**Mr A Maginness** asked the Minister for Employment and Learning to outline how his Department will minimise legal challenges over the new Steps 2 Success programme.

**(AQO 4374/11-15)**

**Dr Farry:** Procurement for all employment provision within my Department is managed by the Department of Finance and Personnel's Central Procurement Directorate, as the Centre of Procurement Expertise. My Department complies with the Public Contracts Regulations (2006) and Northern Ireland Public Procurement Policy when tendering and, along with the Central Procurement Directorate, also seeks advice from the Departmental Solicitor's Office when appropriate.

Throughout the process of developing Steps 2 Success, my officials have engaged in an open and transparent manner with all interested stakeholders. This included an extensive formal consultation process which resulted in over 80 written

responses from stakeholders. We also held five public information events across Northern Ireland. The response to the consultation was communicated back to stakeholders at a public event and was also published on the Department's website.

Following my formal statement last week announcing the procurement and introduction of Steps 2 Success from June 2014, two information days for prospective bidding organisations were held. At these events potential bidders were informed of the final design features of Steps 2 Success, the procurement process to be followed, and the timeline. They have also received information about the methodology being adopted for the tendering of the Steps 2 Success contracts.

Throughout each stage of the development of the programme my officials have worked closely with Central Procurement Directorate to ensure compliance and adherence to procurement guidelines.

My Department will continue to work with, and follow the guidance of colleagues in Central Procurement Directorate. We will also seek the advice of the Departmental Solicitor's Office as required.

### **NEETs: Sport**

**Mr Hilditch** asked the Minister for Employment and Learning what plans he has to use sport as a means of reducing the number of people not in education, employment or training.

**(AQO 4375/11-15)**

**Dr Farry:** My department funds a variety of innovative initiatives under its Collaboration and Innovation Fund to help reduce the number of young people not in education, employment or training. Altogether, 18 different projects are being funded at a cost of £9.2 million.

These 18 projects will test a range of initiatives aimed at re-engaging and supporting 5,500 young people over the next two years.

None of the projects, however, involves sport. The Collaboration and Innovation Fund is now fully committed but I will continue to seek opportunities for securing additional resources which may allow new innovative approaches, such as that suggested by the Member, to proceed.

In addition, the Department of Culture, Arts and Leisure, in partnership with Sport NI, has developed a ten year strategy for sport, Sport Matters, which was approved by the NI Executive in December 2009. Opportunities for those not in education, employment or training will exist through specific obligations on the successful contractors to deliver the Stadium Programme.

### **Steps 2 Success: NICVA**

**Mr McGlone** asked the Minister for Employment and Learning what communication his Department has had with NICVA to ensure that local community and voluntary organisations are not excluded from the delivery of Steps 2 Success.

**(AQO 4377/11-15)**

**Dr Farry:** The Steps 2 Success programme has been designed with flexibility at its core. This flexibility will allow contracted providers to work with clients to address their employment barriers. To deliver this, providers could come from any sector, but will require a wide diverse supply chain of sub-contracted organisations to meet the varied individual needs of clients.

I and my officials met with the Chair, and Policy Coordinator from NICVA in July 2012. The meeting was also attended by representatives from community and voluntary sector organisations. At that meeting I was able to advise that Steps 2 Success was being designed specifically as a bespoke programme which aimed to meet the needs of unemployed people across Northern Ireland. I also welcomed NICVA's enthusiasm to engage with my Department in the development of employment provision.

In developing Steps 2 Success, my Department has taken into account the views and opinions of a wide range of stakeholders, including those of the voluntary and community sector. A high level programme design was issued for public consultation from July to October 2012. This resulted in over 80 responses from a wide range of organisations.

As part of the consultation process my Department also delivered five information sessions across the province, one of which was held in NICVA headquarters in Belfast. These events were attended by approximately 180 representatives from a number of key stakeholders and other interested organisations.

My officials have evaluated the rich and varied responses from all who contributed to this valuable exercise, and have made a number of adjustments to the programme as a result of these. I am confident that Steps 2 Success will, like its predecessor, provide a role for voluntary and community organisations who can contribute to meeting the employability needs of those who require them.

### **Access to Success**

**Mr Copeland** asked the Minister for Employment and Learning what action he is taking to increase opportunities in Further and Higher Education for people with disabilities.

**(AQO 4378/11-15)**

**Dr Farry:** Last September, I was pleased to launch Access to Success, my Department's regional strategy to widen participation in higher education. The strategy has a strong focus on the creation of a more accessible higher education sector, where people who are most able but least likely to participate are given every encouragement and support to apply to, and benefit from, higher education.



The strategy identifies those groups still under-represented in higher education, including those with disabilities and learning disabilities, which may require additional support to take full advantage of the educational opportunity.

My Department provides some £3m through Disabled Students Allowances, to help students with the extra costs they may incur when studying their higher education course. The allowances can help with the cost of specialist equipment, travel and other course-related materials. They also finance one to one personal support to disabled students on higher education courses at our colleges or universities. The support providers include note-takers, dyslexia coaches and sign language interpreters.

My Department also provides premium funding of around £250k per annum to the higher education institutions to recognise the additional costs of recruiting and retaining students with learning difficulties and disabilities.

In the Further Education sector, my Department provides financial support of £3.5m per annum to assist regional colleges to discharge their responsibility towards students with learning difficulties and disabilities.

This includes £2m per annum to help meet the cost of providing tailored, discrete courses for students who are unable to undertake a mainstream course due to the nature or degree of their disability or learning difficulty.

The colleges also provide an information and advocacy resource hub, accessed through the Colleges Northern Ireland website and the 'DisabledGo' service, which provides potential and existing students with accessibility information about college campuses.

## **PGCE: Graduate Places**

**Mr I McCrea** asked the Minister for Employment and Learning how many graduates, who applied for PGCE courses, were successful in gaining a place in 2012/13.

**(AQO 4379/11-15)**

**Dr Farry:** Of the 2016 graduates who applied, 296 were successful in gaining a place on a PGCE course in 2012/13.

138 students gained places at Queen's University Belfast; 117 at the University of Ulster; 20 at St Mary's University College; 15 at Stranmillis University College; and 6 at the Open University.

## **Steps 2 Success: North West**

**Mr Byrne** asked the Minister for Employment and Learning what consideration his Department has given to treating the North West as an individual area for Steps 2 Success to allow a local skills plan, as outlined in the One Plan, to be put in place.

**(AQO 4380/11-15)**

**Dr Farry:** The Department initially proposed to treat Northern Ireland as one contract area with three competing providers. There was a very mixed reaction to this in the Consultation, with a wide variety of views for and against the proposal.

Based on this response, the Department revisited the number and makeup of contract areas in relation to Steps 2 Success. After consideration of a number of options, ranging from one contract area to the existing 10 contract areas, it was agreed that three contract areas, broadly based on the existing Employment Service regions, with one provider in each, offered the optimum result in terms of local provision and scope for improvement.

There will be consistency of provision across the three contract areas and the nature of the provision will be such that it supports the One Plan and the Skills Directorate.

In addition, an officer from my Department will be seconded to the Skills Directorate from 1 July 2013 for two years, to work with a range of stakeholders and assist with its day-to-day work.

## **Management Matters**

**Mr Cree** asked the Minister for Employment and Learning what consideration he has given to the report entitled Management Matters in Northern Ireland and the Republic of Ireland from 2009.

**(AQO 4381/11-15)**

**Dr Farry:** Since its publication in 2009, Management Matters in Northern Ireland and the Republic of Ireland has, along with other research, provided a key evidence base for the Department. The report identified that both the Republic of Ireland and Northern Ireland lag significantly behind those countries with the best management practices; the US achieved the best score. They both scored below the average and below Great Britain.

The report, which focused on manufacturing firms, identified three areas of management practice to address; (i) the need for improved performance in goal and target setting; (ii) aligning the goals and targets with the operations at shop floor level; and; (iii) taking robust action to manage and tackle poor performance.

Each of these themes has been taken into account in the subsequent design of DEL programmes and informed the development of a range of measures to improve Leadership and Management in Northern Ireland's Small to Medium Enterprises and Social Economy Enterprises. The Department's training programmes in leadership and management have undergone a refresh and update, taking into account the key findings of the report, in 2012. A new suite of programmes was launched in January 2013.

In recognition of the importance of management and leadership skills to the Northern Ireland economy, I recently announced a reintroduction of 100% funding for my Department's Leadership and Management Development Programmes from April 2013.

### South West Regional College: Adults with Learning Disabilities

**Lord Morrow** asked the Minister for Employment and Learning for an update on the audit of the South West Regional College into the provision of Further Education for adults with learning disabilities.

**(AQO 4382/11-15)**

**Dr Farry:** I wish to advise that the audit of the provision of Further Education for adults with learning disabilities in South West College has been completed. I will be writing separately to the Member providing full details of the findings.

## Department of Enterprise, Trade and Investment

### Jobs Fund

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment for a breakdown by constituency, of the 2,699 jobs created and 560 jobs promoted as a result of the Jobs Fund.

**(AQW 23936/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The table below details the 2,699 jobs created and 5,060 jobs promoted as a result of the Jobs Fund over the last 2 years. These figures include jobs supported across the full range of Jobs Fund measures including support for new business starts by residents of Neighbourhood Renewal Areas (NRA) and by young people Not in Employment, Education or Training (NEET); broader support for social enterprises; employment support to businesses to create new jobs across a range of sectors and includes Jobs Fund support towards the Department for Employment and Learning's Steps to Work Employer Subsidy to provide additional incentive to create new jobs for the unemployed. As such jobs created through the DEL Employers Subsidy are only reflected in the new Jobs Created column. This explains why the Jobs Created figure is higher than the Jobs Promoted figure for Belfast South and South Down.

**Table 1: Jobs Fund Support by PCA (2011-12 and 2012-13)**

PCA	New Jobs Promoted	New Jobs Created
Belfast East	221	164
Belfast North	466	135
Belfast South	360	389.5
Belfast West	660	138
East Antrim	474	28
East Londonderry	97	85
Fermanagh & South Tyrone	393	200
Foyle	334	296
Lagan Valley	194	117
Mid Ulster	637	381
Newry & Armagh	207	131
North Antrim	128	93
North Down	132	50
South Antrim	235	142.5
South Down	90	109
Strangford	161	65
Upper Bann	124	72.5
West Tyrone	139	102.5
Unknown	8	0
<b>Total</b>	<b>5,060</b>	<b>2,699</b>

**Notes to Table 1:**

- 1 New Jobs Promoted represents the number of jobs expected to be created by the project. It can take up to three years before these actual jobs are created.
- 2 New Jobs Created represents the actual number of jobs created against which financial support has been drawn down.
- 3 215 jobs have been created in businesses with multiple locations across Northern Ireland. In these instances the jobs have been allocated against the headquarters of each business.
- 4 The 8 Unknown promoted jobs do not currently have location information as this support has been offered towards the creation of posts for home-based workers.
- 5 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.

**Invest NI**

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment to provide a breakdown by constituency, of the 13,870 jobs promoted and the £784m investment by InvestNI.

**(AQW 23937/11-15)**

**Mrs Foster:** The table below presents the number of jobs promoted by Invest NI and the amount of planned investment secured through employment-related projects during the two years 2011-12 and 2012-13.

**Jobs Promoted and Total Planned Investment 2011/12 – 2012/13**

<b>PCA</b>	<b>Jobs Promoted</b>	<b>Planned Investment £m</b>
Belfast East	492	26
Belfast North	715	25
Belfast South	2,354	229
Belfast West	1,128	52
East Antrim	640	22
East Londonderry	339	17
Fermanagh And South Tyrone	766	29
Foyle	872	49
Lagan Valley	659	34
Mid Ulster	1,483	80
Newry And Armagh	582	29
North Antrim	396	19
North Down	287	12
South Antrim	534	26
South Down	430	17
Strangford	335	27
Upper Bann	748	36
West Tyrone	883	42
Na*	226	16
<b>Total</b>	<b>13,870</b>	<b>784</b>

\* The precise location for a small number of jobs has yet to be determined. This may be for a number of reasons such as a new investor finalising their location decision.

It should be noted that whilst those jobs promoted through Invest NI's business start support programme (now known as the Regional Start Initiative) are included, these projects do not receive offers of financial assistance, and as such there is no associated planned investment recorded.

### Invest NI: Jobs

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 23193/11-15, whether Invest NI can stipulate that an appropriate share of jobs be made available for people with disabilities in a letter of offer to large employers, and, if so, whether any consideration is being given to such an approach.

**(AQW 23962/11-15)**

**Mrs Foster:** Invest NI has no plans to introduce any stipulation that would require employment generating projects to make a proportion of any new jobs promoted available specifically to people with disabilities. Invest NI's Letters of Offer has been designed to ensure that any assisted companies are compliant with their responsibilities under the relevant employment legislation and, in any situation where it is shown that these have not been fulfilled, then appropriate action will be taken.

### Flights: Business Class

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment, to detail the number of business class flights that have been paid for by (i) her Department; and (ii) InvestNI, from 2008 to date.

**(AQW 24130/11-15)**

**Mrs Foster:** The Department of Enterprise Trade and Investment and Invest NI paid for the following number of business class flights per financial year.

Financial Year	DETI	Invest NI
2007-8	21	62
2008-9	43	74
2009-10	35	82
2010-11	40	73
2011-12	56	102
2012-13	70	106
2013-14 to date	0	14

### Gas Network: Ballymena

**Mr McKay** asked the Minister of Enterprise, Trade and Investment, to provide a map showing the commercial and residential sections of Ballymena Council area, that are connected to the gas network.

**(AQW 24172/11-15)**

**Mrs Foster:** The Department does not hold this information.

Firmus Energy has the exclusive licence to develop the natural gas market in the '10 towns' licensed area outside Greater Belfast which includes Ballymena.

### Gas Network: Ballymena

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what consideration has been given to making gas available to householders in Dunclug, Ballymena.

**(AQW 24175/11-15)**

**Mrs Foster:** Firmus Energy, the developer of gas networks in the "10 towns" licensed area, which includes Ballymena, advise they have held discussions with the Northern Ireland Housing Executive (NIHE) about converting properties in the Dunclug area of Ballymena to natural gas.

The current NIHE heating policy is to install gas where available and the typical life expectancy for an oil fired central heating system is fifteen years. NIHE therefore will aim to replace these systems with gas, where available, using this criteria.

firmus energy advise that it is also in discussions with the Utility Regulator for approval to bring forward their gas network build programme to facilitate conversion of other NIHE properties to natural gas.

### Business Start-ups: Foyle

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment to detail (i) the number of business start-ups in the Foyle constituency over the past 12 months; and (ii) the support that is available to these businesses.

**(AQW 24214/11-15)**

**Mrs Foster:** In the Foyle Parliamentary Constituency Area (PCA) there were a total of 166 start-up businesses supported by Invest NI. 155 of these start-ups were locally focussed with a further 11 having an export dimension.

There is a wide range of advice and support available to these businesses including those highlighted below:

Invest NI's Regional Start Initiative is designed to support locally focussed entrepreneurs into self employment. Support is focussed on mentoring with the key output being a commercial business plan that the promoter can use to attract funds to the business.

Additionally, Invest NI provides advice and financial assistance to entrepreneurs with export-focussed ideas under initiatives such as Propel, Export Start and Global Start.

Invest NI's Boosting Business programme was launched in November 2011 in direct response to the difficulties being faced by businesses as a result of the economic downturn. In June 2012 Invest NI established a full time Business Support Team to deal with enquiries from businesses across Northern Ireland.

The Invest NI Jobs Fund has been developed to promote 5,000 jobs and provides employment grant support to investment projects which will create new sustainable jobs.

Invest NI's nibusinessinfo.co.uk website offers easy to use, comprehensive and up to date practical advice and guidance on all aspects of starting, running and growing a business with access to over 70 business support tools, best practice case studies and access to funding options as well as wider support.

Invest NI's Small Business Loan Fund provides loans of up to £50,000 to viable small and medium sized businesses on commercial terms.

### **Co-operatives: DETI Support**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment what work her Department is doing to support the development of Co-operatives.

**(AQW 24228/11-15)**

**Mrs Foster:** DETI has led, on behalf of the Executive, on the development of social economy policy for Northern Ireland. The co-operative movement shares many of the principles of a social economy organisation and as such is seen as a leading stakeholder in the sector.

In direct response to the findings of an independent evaluation of the Northern Ireland social economy sector, DETI appointed Social Enterprise Northern Ireland in October 2012 to design, manage and deliver a Social Economy Work Programme (SEWP), for up to a maximum of three years. The main objective of the SEWP is to develop and implement a programme of initiatives to enable the continued growth of a sustainable social economy sector. Delivery of this programme will provide Social Enterprise Northern Ireland with an opportunity to explore areas of best practice within the sector, such as the co-operative model, and to develop new financial products/services for the benefit of the sector. Social Enterprise Northern Ireland also represents the interests of the sector and I understand they have a close working relationship with the Co-operative through membership on its Advisory Board.

In addition over the past five years Invest NI has offered financial assistance totalling £7,635,992 to local Co-Operatives and their subsidiary companies. Invest NI has also provided non financial assistance in terms of advice and support.

Invest NI will continue to actively engage with Co-operatives to support them in the development of their businesses.

### **Co-operatives: DETI Support**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether she has considered establishing a body to promote the development of Co-operatives.

**(AQW 24229/11-15)**

**Mrs Foster:** DETI has led, on behalf of the Executive, on the development of social economy policy for Northern Ireland. The co-operative movement shares many of the principles of a social economy organisation and as such is seen as a leading stakeholder in the sector.

In direct response to the findings of an independent evaluation of the Northern Ireland social economy sector in 2011, DETI appointed Social Enterprise Northern Ireland to design, manage and deliver a Social Economy Work Programme (SEWP), for up to a maximum of three years. The main objective of the SEWP is to develop and implement a programme of initiatives to enable the continued growth of a sustainable social economy sector. Delivery of this programme will provide Social Enterprise Northern Ireland with an opportunity to explore areas of best practice within the sector, such as the co-operative model, and to develop new financial products/services for the benefit of the sector.

Social Enterprise Northern Ireland also represents the interests of the sector and I understand they have a close working relationship with the Co-operative through membership on its Advisory Board.

### **Angling: Tourism**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 22889/11-15, to (i) provide an update on the Strategic Review of Angling; and (ii) outline to what extent this review is exploring the potential of Angling Tourism in South Down.

**(AQW 24232/11-15)**

**Mrs Foster:**

- (i) The review is underway. A draft report has been provided by the contractors to help inform the public consultations that have now been completed. The contractors are finalising the report which is to be submitted to the steering group by the end of June.
- (ii) The review is providing an overview on the potential for angling tourism across Northern Ireland and will highlight the best opportunities for angling tourism at an international, national and local level, including South Down.

**Advertising: DETI Spend**

**Mr Hazzard** asked the Minister of Enterprise, Trade and Investment to detail (i) how much was spent on advertising the Titanic Quarter worldwide; and (ii) how much was spent on advertising the Mourne and St. Patrick, in the last two years. (AQW 24235/11-15)

**Mrs Foster:** Both Northern Ireland Tourist Board (NITB) and Tourism Ireland (TIL) are responsible for marketing our tourism product. NITB markets within Northern Ireland and to the Republic of Ireland. Tourism Ireland is responsible for marketing to Great Britain and overseas.

- (i) The amount spent in the last two years specifically on marketing Titanic is;
 

TIL £3,041,000	Calendar Years 2012 and 2013 to date
NITB £686,441	Financial Years 2011/ 2012 and 2012/2013
- (ii) NITB spent a total of £684,094 on the Mourne and St. Patrick in the Financial Years 2011/2012 and 2012/2013. There is no available breakdown of Tourism Ireland's marketing spend for the Mourne or St Patrick project in Northern Ireland.

**Legislation: DETI**

**Mr Weir** asked the Minister of Enterprise, Trade and Investment to list the current or planned legislation that their Department will bring to the Assembly before the end of the current term. (AQW 24251/11-15)

**Mrs Foster:** In July 2012 Junior Minister Bell advised the Assembly of my intention to bring forward two Bills to reform energy distribution and tariffs and an insolvency Bill to enable insolvency practitioners to communicate information about cases by electronic means.

**Tree and Hedge-cutting Contracts**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment how many tree and hedge cutting contracts her Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years. (AQW 24347/11-15)

**Mrs Foster:** None.

**Wind Energy**

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment on what evidence is the potential efficiency of wind energy based; and whether consideration has been given to attempts in other countries which have failed and subsequently been abandoned. (AQW 24369/11-15)

**Mrs Foster:** The All-island Grid Study which was completed in 2008 by DETI and its Irish Government counterpart DCENR was the first comprehensive assessment of the ability of the electrical power system, including the electricity transmission grid on the island, to absorb large amounts of electricity produced from renewable resources. The study concluded that it was technically feasible for up to 42% of power generation demand on the island to be provided from renewable energy, with the least cost and most readily available resource being on-shore wind. No specific analysis of other countries' experiences has been undertaken by my Department.

**Isle of Man TT: Marketing Methods**

**Mr Copeland** asked the Minister of Enterprise, Trade and Investment to outline any discussions which have taken place with the Isle of Man government regarding how marketing methods used for the Isle of Man TT could be applied to the North West 200. (AQW 24392/11-15)

**Mrs Foster:** There have not been any discussions between DETI and the Northern Ireland Tourist Board (NITB) with the Isle of Man government in relation to the North West 200. Ultimately, it would be the responsibility of the North West 200 organisers to make or request such representations.

## G8: Commemorative Supplements

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail (i) the number of commemorative supplements produced in conjunction with the G8 Summit with support from her Department or any of its non-departmental public bodies; (ii) the newspapers in which the supplements appeared; (iii) how much each newspaper was paid to include each supplement; and (iv) if there was any stipulation that her photograph appear on several occasions.

**(AQW 24424/11-15)**

**Mrs Foster:** In the lead in to the G8 Summit at Lough Erne, a number of media outlets took the decision to produce commemorative supplements to mark the hosting of this unique opportunity to showcase the business and tourism offering of Fermanagh and Northern Ireland to the visiting delegations and accompanying international media.

Following approaches from many of these publications with sponsorship proposals to support the publications, Invest Northern Ireland entered into commercial agreements with the Belfast Telegraph, Impartial Reporter and Fermanagh Herald to provide relevant content in the form of case studies and advertorial to each. The agreements were commercial in confidence.

In addition to their distribution by inclusion in their own publications, copies of these three supplements were also provided to the international media who were covering the Summit. All of the supplements were written and produced by the publishers and there was absolutely no stipulation made by Invest Northern Ireland nor my Department in terms of photography.

## Moyle District Council: Invest NI Support

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment whether InvestNI will liaise with Moyle District Council to assist in increasing investment in the area.

**(AQW 24429/11-15)**

**Mrs Foster:** Invest Northern Ireland is already actively working with Moyle District Council.

Invest NI offers a wide range of support to encourage investment and economic development in all council areas across Northern Ireland. It has a good working relationship with Moyle District Council and has met with council officials on 14 occasions within the last 12 months, principally but not exclusively, with a focus on Local Economic Development Programmes.

Invest NI is working closely with all Councils in the region – including Moyle District Council - to help identify gaps in the provision of support to small and medium businesses and develop initiatives that will complement existing provision. These projects are primarily aimed at increasing SME capability and competitiveness and are funded through the Local Economic Development Measure of the EU Sustainable Competitiveness Programme, Invest NI and local Councils.

Moyle District Council has also accepted an invitation from Invest NI to participate, with other Councils, in the development of a mobile app, focused on highlighting the unique selling points of the area in terms of its potential to attract Foreign Direct Investment.

Invest NI also participated in a breakfast meeting on 21 March 2013 involving local politicians, Moyle Chamber of Commerce and Council officials with the aim of increasing economic activity in the area. Invest NI has offered a follow up meeting with Moyle Chamber of Commerce to progress some of the ideas discussed.

Invest NI will continue to work in partnership with Moyle District Council and other stakeholders to assist in increasing investment in the area.

## Strategic Energy Framework: Targets

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment what consultation was carried out on the setting of the Strategic Energy Framework target of 40 percent energy from renewables by 2020; and to provide a copy of the consultation document and the Strategic Energy Assessment.

**(AQW 24460/11-15)**

**Mrs Foster:** The draft Strategic Energy Framework (SEF) which included the strategic goal to increase the amount of electricity from renewable sources to 40% by 2020, was approved by the Executive and issued for full consultation on 6 July 2009. A copy of the consultation document can be found at:

[http://www.detini.gov.uk/a\\_draft\\_strategic\\_energy\\_framework\\_for\\_northern\\_ireland\\_2009-2](http://www.detini.gov.uk/a_draft_strategic_energy_framework_for_northern_ireland_2009-2)

I am not aware of the term Strategic Energy Assessment but am assuming that the Member is referring to a Strategic Environmental Assessment (SEA). The SEF consultation document committed DETI to carrying out SEAs, where appropriate, on policies emanating from the Framework. When the 40% target for renewable electricity was set, SEAs of both the Offshore Renewable Energy Strategic Action Plan (ORESAP) and the Onshore Renewable Electricity Action Plan (OREAP) were underway. The ORESAP SEA was commissioned in 2008 and the OREAP SEA was commissioned in 2009. All documents associated with each SEA can be viewed at [www.offshoreenergyyni.co.uk](http://www.offshoreenergyyni.co.uk) and [www.onshorerenewablesni.co.uk](http://www.onshorerenewablesni.co.uk)

## Broadband: Universal Access

**Mrs McKeivitt** asked the Minister of Enterprise, Trade and Investment for an update on her Department's proposal to achieve universal access to standard broadband services with a minimum download speed of two megabytes.

**(AQW 24508/11-15)**

**Mrs Foster:** The Northern Ireland Broadband Improvement Project aims to deliver 2 Megabits per second broadband services to all premises and services of 24 Megabits per second or better to at least 90% premises by 2015. This is aligned with UK Broadband Strategy targets.

The process of defining the intervention area has been one of continuing refinement and further data from the market and clarification on revised State Aid rules had to be taken into consideration. An analysis on the postcodes to be included in the intervention area has now been completed. The results are expected to be published shortly. This will include details of the proposed intervention area for the project, on which comments will be invited through a short public consultation.

It is expected that procurement will commence by end summer and a contract awarded in early autumn 2013.

## Broadband: South Down

**Mrs McKeivitt** asked the Minister of Enterprise, Trade and Investment what percentage of people in South Down have (i) no access to broadband facilities; or (ii) a download speed lower than two megabytes.

**(AQW 24509/11-15)**

**Mrs Foster:**

- (i) Everyone throughout Northern Ireland, including South Down, has access to a broadband service via a mix of technologies, including fixed line, satellite, fixed wireless and mobile.
- (ii) The information requested is not held by my Department.

## Gas: Flaring

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether flaring of excess gas from gas wells will be permitted under current legislation.

**(AQW 24542/11-15)**

**Mrs Foster:** The Department recognises that during the exploration, appraisal, commissioning and production phases of a development, the flaring of some gas may be unavoidable. However, any flaring must be kept to the minimum that is technically and economically justified. The Department will control gas emissions by requiring Licensees to apply for consent to flare or vent gas emitted from their wells.

New regulations to reduce the emissions of gases to air by means of "green completions" are being introduced in the USA and it is anticipated that any future shale gas industry in the UK will adopt similar regulations based on industry best practice.

## Structural Technology Maturity Project

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment for an update on the Structural Technology Maturity project led by GKN and Bombardier that was announced in July 2012.

**(AQW 24585/11-15)**

**Mrs Foster:** The Structural Technology Maturity Project (STeM) is a project under the UK Aerodynamics Centre with grant funding from the Department for Business, Innovation and Skills (BIS) Aerodynamics Centre budget and placed on contract through the Technology Strategy Board.

The project is led by GKN with Bombardier, Spirit and GE Aerospace as collaborators with a total grant of £6.3million, which is 50% of the total project cost. It started in July 2012 and is scheduled to finish in March 2014. The work is progressing satisfactorily.

## Tourism: Visitor Numbers/Revenue

**Ms Maeve McLaughlin** asked the Minister of Enterprise, Trade and Investment whether visitor numbers for 2012 has reached 3.8m; and to detail (i) if this includes visitors from the rest of the island of Ireland; and (ii) the total visitor spend.

**(AQW 24608/11-15)**

**Mrs Foster:** Full year figures for 2012 on visitor numbers and tourism revenue are not yet available.



## Department of the Environment

### Planning: Conflicts of Interests

**Mr Hussey** asked the Minister of the Environment whether he has any conflicts of interests in relation to current or other planning applications since May 2011; and to list the planning application numbers along with an explanation of any possible conflict of interest.

**(AQW 20573/11-15)**

**Mr Attwood (The Minister of the Environment):** The Department acts under the direction and control of the Minister. I have discharged that function in accordance with the law and Ministerial Code. In recognition of the importance of maintaining public confidence in the planning process, I declare Conflicts of Interest or instances which may be perceived to be a Conflict of Interest. There have been a number of cases where an applicant is known to me or an application is located in my constituency or for some other reason. In these cases I have declared an interest.

Moreover, I advised my Permanent Secretary upon appointment as DOE Minister that if there was a planning application where a conflict of interest did, in my view, arise and I considered that the conflict was material to the application, I would discharge myself from a role in the application. I have complied with this principle.

### Planning: Retrospective Applications

**Mr Wells** asked the Minister of the Environment what proportion of all retrospective planning applications were approved, in each of the last five years.

**(AQW 22332/11-15)**

**Mr Attwood:** Historically there is not an obligation for an applicant to indicate whether or not a proposal is retrospective. As a result of this, there is no reliable way to retrieve retrospective applications from the planning portal and to quantify the decisions taken. Given this, I have directed officials to amend the application process to record if the application is retrospective. This enhancement to the Planning Portal will be delivered into the 'Live' system in September 2013.

### Rathlin Energy: Exploratory Drilling in North Antrim

**Mr Agnew** asked the Minister of the Environment whether his Department is aware of any application for consent by Rathlin Energy (UK) Limited to carry out exploratory drilling in North Antrim; and if so, to detail the consents that will be required.

**(AQW 23315/11-15)**

**Mr Attwood:** Rathlin Energy has held two pre application meetings with officials to discuss a possible planning application for exploratory drilling in North Antrim. The meetings were held in October 2012 and April 2013.

DETI has not received any application from Rathlin Energy (UK) Limited for consent to drill on their petroleum licence PL3/10 in North Antrim.

### Unanswered Questions: AQW 22537/11-15 and AQW 22532/11-15

**Mr Givan** asked the Minister of the Environment why AQW 22537/11-15 and AQW 22532/11-15 have not yet been answered.

**(AQW 23567/11-15)**

**Mr Attwood:** AQW 22537/11-15 and AQW 22532/11-15 were answered on 11 June 2013.

### Crawfordsburn Beach: Water Quality

**Mr Weir** asked the Minister of the Environment what action is being taken to improve water quality at Crawfordsburn beach.

**(AQW 24120/11-15)**

**Mr Attwood:** Crawfordsburn beach is immediately adjacent to Helen's Bay beach which had excellent water quality in 2012. It is clear that water quality at Crawfordsburn is being influenced by the Crawfordsburn River. The river itself is subject to pollution washed off by heavy rainfall events.

Marine Division is working with NIEA to reduce pollution risks within the catchment of the Crawfordsburn River.

The Crawfordsburn River catchment will be prioritised, with other 'at risk' bathing waters for a source apportionment study during 2013. These very detailed river walking and intensive sampling exercises have proved quite successful in identifying sources and reducing pollution risks in the Ballyholme, Brown's Bay, Waterfoot and Ballygally catchments.

The number of confirmed pollution incidents in the Crawfordsburn River varies from year to year with 7 in 2010, 1 in 2011 and 5 in 2012. Of particular significance are the farm source pollution incidents with 1 in 2010, 0 in 2011 and 4 in 2012. These will have a bacterial load which could influence bathing water quality.

Within the same catchment, NIEA's Agricultural Regulation Team identified 3 breaches of the Nitrates Action Programme Regulations in 2011 and 1 in 2012.

Planned actions to protect and improve bathing water at Crawfordsburn beach during 2013 include:

- Pollution source apportionment study will be prioritised with other at risk bathing waters;
- Agri-businesses in the Crawfordsburn catchment will be prioritised for inspection by the NIEA Agricultural Regulations Team, along with other at risk catchments;
- River inspections, pollution prevention visits and advertising of the 24 hr Emergency Pollution Hotline by NIEA Water Quality Inspectors.

In addition, the next Good Beach Summit which I chair is scheduled for 7 August 2013. The Summit's Action Plan is co-ordinating activities under four headings – Improve Water Quality, Improve Beach Cleanliness, Facilities, Management & Signage, Keep the Public & Media Better Informed and Support the Coastal Economy. Crawfordsburn bathing water quality clearly has the potential to achieve the highest standards as would befit its scenic value and its popularity with the general public. I will be seeking commitment from all the relevant agencies to achieve this.

### Tree and Hedge-cutting Contracts

**Mr Agnew** asked the Minister of the Environment how many tree and hedge cutting contracts his Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years.

**(AQW 24345/11-15)**

**Mr Attwood:** The only part of my Department with responsibility for the management of trees and hedges is the Northern Ireland Environment Agency (NIEA).

In the last 3 years NIEA has managed the maintenance of its sites and properties through two types of generic grounds maintenance contracts which have provided, inter alia, for the cutting of trees and hedges and scrub. In the 10 years up to 31 March 2012 NIEA, itself, awarded a number of three- to five-year contracts for grounds maintenance work at its properties in its four operational regions across Northern Ireland. These were tendered through Central Procurement Directorate (CPD) of the Department of Finance and Personnel, the last being awarded in 2007. Since 1 April 2012 NIEA has used the NICS-wide NEC3 Grounds Maintenance Contract. This five-year contract was awarded by CPD in 2009. Thus no contracts were awarded within the last three years.

While these contracts were generally awarded in March ahead of the start of the financial year, the timing of the award of the contracts was not relevant to the timing of any tree or hedge cutting. Work under them, including tree and hedge cutting, could be commissioned at any time as required. However in all cases contractors were required to obtain the approval of the site manager before commencing any maintenance work, including tree and hedge cutting.

All nesting birds are protected under the terms of the Wildlife (Northern Ireland) Order 1985(as amended). This legislation states that if any person intentionally or recklessly kills, injures or takes any wild bird; or takes, damages or destroys the nest of any wild bird while that nest is in use or being built; obstructs or prevents any wild bird from using its nest; or takes or destroys an egg of any wild bird, he shall be guilty of an offence unless the action is needed for preserving public health or public or air safety. The Order does not, however, specify dates in relation to a bird breeding season; however my Department advises the public not to trim hedges or cut trees between March and August, as this is the main breeding period for most of our resident bird species.

In managing its own sites and properties the Northern Ireland Environment Agency adheres to Wildlife legislation and guidance and will only conduct tree and hedge maintenance for public safety or related essential operational reasons during the nesting season. In all cases where this has been deemed necessary, trees and hedges have first been checked for wildlife, including nesting birds and bat roosts, before cutting, with cutting postponed where nesting is found.

In the last 3 years NIEA staff have been required to consider tree and hedge cutting between 1 March and 31 August on 35 occasions. In all cases a bird nesting survey and, where hollow trees were involved, a bat roost survey was first conducted. In only one case (in Castle Archdale Country Park) were nesting birds identified. The risk to the public was reassessed and, as there was no immediate danger, the work was deferred until after the bird nesting season.

The situation is slightly different for farmers. In order to receive their full agricultural subsidy, farmers must adhere to a range of conditions that have been set by the Department of Agriculture (DARD). One of these conditions specifies that hedges must not be cut between 1st March and 31st August.

### Emus: Licensing or Classification

**Lord Morrow** asked the Minister of the Environment how Northern Ireland differs from the rest of UK in relation to emu licensing or classification.

**(AQW 24438/11-15)**

**Mr Attwood:** In Northern Ireland Emus are listed on the Dangerous Wild Animals (Northern Ireland) Order 2004 and are therefore classified as dangerous wild animals.

Emus were previously listed as dangerous wild animals in other parts of the UK under the terms of the Dangerous Wild Animals Act 1976. Following a review, over 30 species were removed from the Act's schedules with these amendments introduced in England and Wales by subordinate legislation in August 2007. Similar amendments were made in Scotland in October 2008.

Organisations such as the RSPCA campaigned against the decision expressing concern that the removal of these species would permit people to buy these animals without knowing how to look after them properly and potentially putting the animal or themselves at risk.

After undertaking a public consultation of the schedules of the Dangerous Wild Animals (Northern Ireland) Order 2004, in February 2008, the Department decided not to delist any of the original listed species, but did add the following species:

- Argentine black-headed snake;
- Amazon false viper (snake);
- Peruvian racer (snake);
- Middle-eastern thin-tailed scorpion;
- South American green racer (snake);
- Dingo.

The keeping of dangerous wild animals by private individuals is regulated through a licensing process administered, inspected and enforced by NIEA.

## Department of Finance and Personnel

### Video-conferencing Systems

**Mr McGlone** asked the Minister of Finance and Personnel how much has been spent on the acquisition of Video Conferencing systems in the last five years; and whether a report has been produced on the return on the investment. (AQW 23573/11-15)

**Mr Wilson (The Minister of Finance and Personnel):** A total of £952,099 has been spent on the acquisition of video Conferencing endpoints within the NICS during the past five years.

Most units have been funded by individual departments and, therefore, are subjected to the Post Project Evaluation/ Review processes and procedures in place within the Departments purchasing the unit. A Post Project Review requires an assessment of both the monetary and non-monetary benefits/costs arising from a project.

### Single-parent Families

**Mr Gardiner** asked the Minister of Finance and Personnel to detail the number of (i) single parent families; and (ii) the number of children living in single parent families, in each of the last five years. (AQW 24204/11-15)

**Mr Wilson:** Estimates of single parent families are sourced to the Labour Force Survey (LFS). Please note that the LFS is a sample survey, the estimates from which are subject to a degree of sampling error. The following table shows the number of single parent families and the number of children living in single parent families for last 5 years.

**Table 1 – Dependent Children Living in Single Parent Families**

	Number of Single Parents <sup>1</sup>	No. of Children in Single parent households
April - June 2008	81,000	135,000
April - June 2009	93,000	155,000
April - June 2010	91,000	148,000
April - June 2011	94,000	160,000
April - June 2012	90,000	149,000

<sup>1</sup> Single parents of those who are looking after both dependent and non dependent children.

**Source:** Labour Force Survey

It is noted that a 'Single Parent Family' is a household that contained a single parent, their children and nobody else on the reference date. There is no limitation on the age of the children, other than households where all residents were aged 65 or more were omitted.

### Single-parent Families

**Mr Gardiner** asked the Minister of Finance and Personnel to detail the number of single parent families; and the number of children living in a single parent family, broken down by constituency. (AQW 24205/11-15)

**Mr Wilson:** The numbers of single parent families, and the numbers of children living in single parent families, are listed in the table below.

<b>Assembly Area</b>	<b>Number of single parent families</b>	<b>Number of children in single parent families</b>
Belfast East	5,339	8,490
Belfast North	8,815	14,854
Belfast South	4,764	7,721
Belfast West	9,917	18,029
East Antrim	4,784	7,791
East Londonderry	5,086	8,258
Fermanagh and South Tyrone	4,492	7,445
Foyle	7,885	13,890
Lagan Valley	4,398	7,070
Mid Ulster	4,363	7,487
Newry and Armagh	6,016	10,101
North Antrim	5,079	8,219
North Down	4,030	6,273
South Antrim	4,806	8,014
South Down	5,173	8,756
Strangford	4,130	6,567
Upper Bann	6,421	10,602
West Tyrone	4,732	7,972
Northern Ireland	100,230	167,539

**Source** 2011 Census Quick Statistics tables (Number of single parent families – QS111NI; Number of people in single parent families – QS110NI)

It is noted that a 'Single Parent Family' is a household that, on Census Day, contained a single parent, their children and nobody else. There is no limitation on the age of the children, other than households where all residents were aged 65 or more were omitted.

### **Legislation: DFP**

**Mr Weir** asked the Minister of Finance and Personnel to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24255/11-15)**

**Mr Wilson:** The table overleaf details the primary legislation that my Department intends to bring before the Assembly before the end of the current mandate.

Further proposals may be brought forward later in the mandate to give effect to new or changes to existing policies.

<b>Primary Legislation</b>	<b>Timescale</b>
Budget (No2) 2013	Due for introduction 2013
Public Service Pensions	Due for introduction 2014
Budget 2014	Due for introduction 2014
Budget (No2) 2014	Due for introduction 2014
Financial Provisions	Due for introduction 2014
Rates (Amendment)	To be determined
Multi-unit Developments	To be determined
Legal Complaints and Regulation	To be determined
Budget 2015	Due for introduction 2015

### Rates: Direct Debit Payments

**Mrs D Kelly** asked the Minister of Finance and Personnel whether he has any plans to change the payments of rates bills by direct debit to over 12 months instead of the current 10 month period.

(AQW 24301/11-15)

**Mr Wilson:** I have no plans to change the payment of rate bills, by direct debit, from the standard 10 month period to 12 months.

### Tree and Hedge-cutting Contracts

**Mr Agnew** asked the Minister of Finance and Personnel how many tree and hedge cutting contracts his Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years.

(AQW 24346/11-15)

**Mr Wilson:** Two property management framework agreements were awarded in February 2010 to undertake minor works, reactive maintenance and planned preventative maintenance for a four-year period commencing on 1 April 2010. These framework agreements provide for the issue of orders to carry out works, including tree and hedge cutting, across a range of properties.

A separate contract for grounds maintenance work within the Stormont Estate, which includes tree and hedge cutting, was awarded in August 2010 for an initial 3 year period (with options to extend for two further years) commencing on 1 September 2010.

### PSNI: Equal Pay

**Mr Allister** asked the Minister of Finance and Personnel whether he could, through ministerial direction, approve payments to those civil servants disadvantaged financially by the outcome of the legal action concerning equal pay which was ruled upon by Judge Babington on 7 March 2013.

(AQW 24365/11-15)

**Mr Wilson:** As I have previously stated, no legal liability has been established upon which to base any rationale for such approval. The Department of Justice (DOJ) is the sponsoring department of the PSNI and as such, any business case seeking approval to apply the terms of the equal pay settlement by the PSNI must be submitted through DOJ to the Department of Finance and Personnel for approval.

### PEACE IV: Irish Language Promotion

**Mr Allister** asked the Minister of Finance and Personnel what assurances he can give that the content of any PEACE IV programme will not include any focus on the proposition of the promotion of the Irish language or groups.

(AQW 24366/11-15)

**Mr Wilson:** The PEACE IV Programme is currently under development and its content has yet to be agreed. The initial consultation, however, has led to an emerging focus on young people; their education, youth activities, and in particular those who are economically excluded. When prepared, the draft Operational Programme will be subject to public consultation and the agreement of the Executive and the European Commission.

Irish language groups or projects may apply for EU PEACE funding. All project applications are subject to assessment against programme selection criteria and must obtain a score above a threshold level in order to be awarded funding.

### Procurement: Government Contracts

**Mr Allister** asked the Minister of Finance and Personnel whether companies pursuing procurement contracts with Government and Government agencies are required to declare if they are donors to, or otherwise connected to, a political party; and if so, what declarations have been made.

(AQW 24367/11-15)

**Mr Wilson:** The Central Procurement Directorate (CPD) does not seek information in relation to donations made by tenderers.

### Asbestos-related Diseases: Compensation

**Mr P Ramsey** asked the Minister of Finance and Personnel what compensation his Department can offer to sufferers of asbestos-related diseases.

(AQW 24382/11-15)

**Mr Wilson:** My Department is responsible for the substantive law on negligence, which allows for a claim for compensation in respect of damage caused by negligent actions, including exposure to asbestos. It brought forth the Damages (Asbestos-related Conditions) Act (Northern Ireland) 2011, which has helped to ensure that recourse to the courts remains an option for people with pleural plaques. However, it is not responsible for compensation payments for pleural plaques or any other asbestos-related condition.

If a person considers that he/she has suffered damage as a result of negligent exposure to asbestos, he/she should pursue a claim against the relevant individual or company. Alternatively, he/she may seek to secure a payment under one of the statutory schemes which are administered by the Department for Social Development.

The Mesothelioma Bill, which is currently before the UK Parliament, provides for the establishment of a further payment scheme which will, in certain circumstances, make payments to eligible people with diffuse mesothelioma and eligible dependants of people who have died from diffuse mesothelioma. The scheme will be funded by a levy on insurance companies which are currently active in the employer's liability insurance market.

### Orange Order: SEUPB Funding

**Mrs D Kelly** asked the Minister of Finance and Personnel to detail the (i) funding awarded to the Orange Order Grand Lodge of Ireland by the Special EU Programmes Body, in each of the last three years; (ii) conditions applied to the funding; (iii) evaluation method used; and (iv) date each project was delivered.

**(AQW 24385/11-15)**

**Mr Wilson:** The table below details funding awarded to the Grand Orange Lodge of Ireland by the Special EU Programmes Body (SEUPB) in each of the last three years, and includes the project end dates. Both awards were made under the PEACE III Programme.

Year	Project Name	Award (£)	Start Date	End Date
2010/11	-	-	-	-
2011/12	Stepping Towards Reconciliation In Positive Engagement (STRIPE)	£884,022	01 July 2011	31 December 2014
2012/13	Reaching Out Through Education and Cultural Heritage (REACH)	£3,601,486	01 July 2012	30 June 2015

### Rates: Sports Clubs

**Mr McKay** asked the Minister of Finance and Personnel to list the sports clubs which do not receive an 80 per cent reduction in their rates.

**(AQW 24400/11-15)**

**Mr Wilson:** Land & Property Services (LPS) does not have this information. The Valuation List and the internal databases that lie behind it do not specifically identify club premises nor clubs that are ineligible for sport and recreation relief. This is because club premises can be described under a number of guises, including halls, rooms and offices. Similarly the occupier can be down in the name of the secretary or treasurer of the club.

Furthermore, for the clubs that do get rate relief, only the sporting related parts of the facilities are entitled to 80% relief, so any club that has a bar or restaurant will therefore get less than 80% relief in total.

Any club that does not engage in activities related to the prescribed list of recreations (see link: <http://www.legislation.gov.uk/nisr/2007/72/schedule/made>) and/or employs a professional player will not get relief.

The conditions for eligibility for mandatory sport and recreation relief are less onerous than those which apply in the rest of the UK and it would be rare for any genuine amateur sports club not to qualify for relief.

### G8: Executive Spend

**Mr McGlone** asked the Minister of Finance and Personnel to detail those aspects of the G8 Summit for which the Executive will be financially responsible.

**(AQW 24412/11-15)**

**Mr Wilson:** At our recent meeting, the Chief Secretary to the Treasury confirmed that the vast majority of policing and security-related costs will be met by UK Government and not the Executive. As might be expected there will be some other costs associated with hosting the G8 event. I will update the Assembly on the G8 costs as part of my Statement on June Monitoring, once this has been endorsed by the Executive.

It is also important to recognise that this event will generate significant revenues for Northern Ireland and especially the Fermanagh region.

### Rate Relief: SMEs in North Down

**Mr Weir** asked the Minister of Finance and Personnel how many small and medium sized enterprises in (i) Bangor; (ii) Holywood; (iii) Donaghadee; and (iv) the rest of North Down have applied for the rate relief scheme for empty shops or vacant premises since the introduction of the scheme.

**(AQW 24461/11-15)**

**Mr Wilson:** Since the introduction of Empty Premises Relief on 1st April 2012, Land & Property Services has received 10 applications for the relief, covering the North Down District Council Area. LPS does not record applications by size or by town limits.

As of 24th June 2013, seven applications have qualified for the relief.

### **Barnett Formula**

**Mr Allister** asked the Minister of Finance and Personnel what representations have been made to the Treasury on the comparability percentage of the Barnett formula; and for his assessment of its proportionality.

**(AQW 24567/11-15)**

**Mr Wilson:** The most recent Statement of Funding Policy, published in 2010, contains a complete set of comparability percentages. These percentages were subject to negotiation at official level prior to publication. My Department sought input from all NI departments and a final set of comparability percentages was subsequently agreed with HMT. My Department will revisit these percentages to secure any appropriate revisions when the Statement of Funding Policy is next revised.

### **Barnett Consequentials**

**Mr Allister** asked the Minister of Finance and Personnel how much each Department is (i) receiving; and (ii) spending arising from the Barnett consequentials in this financial year.

**(AQW 24569/11-15)**

**Mr Wilson:** Barnett Consequentials are unhyponothecated which means that the Executive has the discretion to allocate Barnett additions/reductions according to local priorities. In that regard, there is no direct correlation between a Barnett Consequential and equivalent departmental spend in Northern Ireland.

For the financial year 2013-14, there has been a net reduction of £6.5 million to our Resource DEL and an increase of £145.0 million to our Capital DEL as a result of the application of the Barnett Formula. The Capital allocation includes £44.8 million of ring-fenced Financial Transaction capital which can only be used for equity or loan investment.

## **Department of Health, Social Services and Public Safety**

### **Rathmoyle Sheltered Housing: Funding**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety (i) whether funding is available for the provision of sheltered housing at Rathmoyle; (ii) how much funding is available; and (iii) in what year the funding will be allocated.

**(AQW 24106/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The development of a 28 unit new build scheme to replace the existing service at Rathmoyle has been included in the Department of Social Development/NI Housing Executive's Social Housing Development Programme, with a provisional start date in 2014/15.

The business case is still in development, thus it is not yet possible to confirm the precise amount of capital funding required. Provided the new scheme meets its 2014/15 target start date, then funding will start to be released from that date onward.

### **Care Homes: Rathmoyle**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety whether any instruction has been given to staff by his Department or the Northern Health and Social Care Trust not to refer patients to the Rathmoyle residential care home; and to detail any such instructions.

**(AQW 24108/11-15)**

**Mr Poots:** My Department has not issued an instruction to cease admissions or referrals to Rathmoyle or any of the other statutory elderly residential care homes.

In recent years, the Trust, along with a local stakeholders group, began work towards the development of a supported living facility and anticipated that some residents in the home would have to be resettled. To cause as little distress as possible the decision was taken by the Trust to restrict long term admissions and to use any free beds for respite or short term admissions.

Before any decision can be taken regarding the future of Rathmoyle, my Department expects the HSC Board to provide an assurance that past consultation, engagement and analysis of responses have followed best practice, and that the current arrangements for engagement with residents and families are appropriate.

Furthermore, I cannot endorse changes at Rathmoyle until the HSC Board assures the Department that good, suitable alternatives for day care and respite provision are in place and working well.

I feel it is now appropriate to allow the HSC Board some time to appraise the process that has already been undertaken around Rathmoyle.

## Patient Transport: Disability Living Allowance

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety (i) whether Health and Social Care Trusts consider the mobility component of Disability Living Allowance to be a travel payment for persons availing of taxis to get to day care facilities, which were formerly funded by the Trusts; (ii) when this introduced into the criteria; (iii) to provide cases of the relevant documentation; (iv) whether there is a right to appeal decisions; and (v) in cases of people who have an appointee, whether it is acceptable that the appointee was not consulted prior to or during any assessment of need.  
(AQW 24142/11-15)

**Mr Poots:** Health and Social Care Trusts have advised that they do not take Disability Living Allowance into account when assessing access to transport provided by a Trust.

## Mental Health: Northern Trust

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety how much of the Northern Health and Social Care Trust's £3.7 million investment in adult mental health services will be spent in East Antrim; and which rural services in the area will benefit from the investment.  
(AQW 24189/11-15)

**Mr Poots:** The Trust has advised that it is not possible to break down the application of additional investment by constituency areas. The additional funding will be invested in a range of services to meet the Mental Health needs of rural and urban populations across its area.

## Mental Health: Foyle

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety how many people are currently diagnosed with mental ill health; and what services are available for these people in the Foyle constituency.  
(AQW 24213/11-15)

**Mr Poots:** The number of people currently diagnosed with mental ill health in the Foyle constituency is not recorded. This information could only be provided at disproportionate cost.

The Trust provides a range of services for children, adolescents and adults with mental ill health including community based mental health services, inpatient care, home treatment, psychological therapy, residential and nursing home care. A range of support and services are also provided by voluntary sector organisations in the Foyle constituency.

## Anapen

**Mr B McCrea** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 23376/11-15, which Health and Social Care Trusts administer Anapen; and whether any concerns have been raised about this product.  
(AQW 24257/11-15)

**Mr Poots:** I have been advised by the Belfast, Northern, South Eastern, Southern and Western Trusts and the Northern Ireland Ambulance Service that they do not currently administer Anapen®.

A drug alert notice, in respect of Anapen® was issued by the Chief Pharmaceutical Officer on 23 May 2012 advising of a recall of the product by the manufacturer at that time. Local pharmaceutical wholesalers have confirmed that Anapen® is currently out of stock. A link to the drug alert is attached: [http://www.dhsspsni.gov.uk/drug\\_alert\\_phc20\\_2012.pdf](http://www.dhsspsni.gov.uk/drug_alert_phc20_2012.pdf)

## Chronic Pain

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety what measures his Department has implemented to ensure that tackling the suffering of patients and chronic pain remain a priority.  
(AQW 24258/11-15)

**Mr Poots:** I propose to answer these questions together.

The provision of services to patients suffering from chronic pain is an operational matter, the responsibility for which lies with each Health and Social Care Trust.

Pain management services are delivered in each HSC Trust area, with the Belfast Trust delivering specialist pain management services and procedures.

In April 2012, I launched "Living with Long Term Conditions", my Department's Policy Framework to provide strategic direction for the reform and modernisation of services for adults with long term conditions. The Policy Framework is designed to be relevant across a wide range of long term conditions, including chronic pain. The Framework focuses on six key areas of care including supporting self management, medicines management and improving care and services.

My Department has endorsed a number of National Institute for Health and Clinical Excellence (NICE) technology appraisals and clinical guidelines, relating to chronic pain management, as applicable for implementation in Northern Ireland. As any new or updated Technology Appraisals or Clinical Guidelines relating to chronic pain management are published by NICE in the



future, these will be locally reviewed and, where appropriate, endorsed by my Department for implementation within health and social care in Northern Ireland.

Each of the local commissioning groups with a local elective orthopaedic service has prioritised the development of a Musculoskeletal pathway within their local commissioning plans and processes. This is intended to improve the care pathway for a wide range of patients including those with chronic pain

## Chronic Pain

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety whether tackling chronic pain will receive specific attention in future Local Commissioning Plans.

**(AQW 24259/11-15)**

**Mr Poots:** I propose to answer these questions together.

The provision of services to patients suffering from chronic pain is an operational matter, the responsibility for which lies with each Health and Social Care Trust.

Pain management services are delivered in each HSC Trust area, with the Belfast Trust delivering specialist pain management services and procedures.

In April 2012, I launched "Living with Long Term Conditions", my Department's Policy Framework to provide strategic direction for the reform and modernisation of services for adults with long term conditions. The Policy Framework is designed to be relevant across a wide range of long term conditions, including chronic pain. The Framework focuses on six key areas of care including supporting self management, medicines management and improving care and services.

My Department has endorsed a number of National Institute for Health and Clinical Excellence (NICE) technology appraisals and clinical guidelines, relating to chronic pain management, as applicable for implementation in Northern Ireland. As any new or updated Technology Appraisals or Clinical Guidelines relating to chronic pain management are published by NICE in the future, these will be locally reviewed and, where appropriate, endorsed by my Department for implementation within health and social care in Northern Ireland.

Each of the local commissioning groups with a local elective orthopaedic service has prioritised the development of a Musculoskeletal pathway within their local commissioning plans and processes. This is intended to improve the care pathway for a wide range of patients including those with chronic pain

## Health and Social Care Board: Staff Transfer

**Mr Frew** asked the Minister of Health, Social Services and Public Safety, given that Health and Social Care Trusts have a transfer policy for staff, why no such policy exists in the Health and Social Care Board.

**(AQW 24260/11-15)**

**Mr Poots:** I am advised that the Health and Social Care Board has not identified a substantial need for a Transfer Policy and does not plan to introduce such a policy at this time.

## Domiciliary Care

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the contracts awarded by each Health and Social Care Trust to private or independent domiciliary care providers, including the (i) date the contract was awarded; (ii) duration of contract; and (iii) cost of contract, for (a) 2010/11; (b) 2011/12; (c) 2012/13; and (d) 2013/14.

**(AQW 24281/11-15)**

**Mr Poots:** Individual contracts are the responsibility of Health and Social Care Trusts which commission domiciliary care across a wide range of programmes of care. The information you have requested is not held centrally and could only be collected at a disproportionate cost.

All contracts with private providers are subject to Public Contract Regulations which govern public procurement in Northern Ireland.

## Schools: Multi-agency Support Teams

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 5092/11-15 and AQW 5093/11-15, to list the additional primary schools that have applied to, and have been serviced by, the multi-agency support teams for schools since December 2011, broken down by council area in the (i) Belfast; (ii) South Eastern; (iii) Southern; and (iv) Western Health and Social Care Trust areas.

**(AQW 24282/11-15)**

**Mr Poots:** Tab A lists the additional primary schools serviced by MASTS since December 2011, in each District Council area within the Belfast, South Eastern, Southern and Western Health and Social Care Trust areas.

The Multi-Agency Support Teams for Schools (MASTS) is run by the Health and Social Care Trusts in close collaboration with their respective Education and Library Boards.

**Tab A****Belfast Health and Social Care Trust**

School	Council
Nil Return	

**South Eastern Health and Social Care Trust**

School	Council
Ballinderry PS	Lisburn
Harmony Hill PS	Lisburn
Maghaberry PS	Lisburn
Pond Park PS	Lisburn
Largymore PS	Lisburn
Tonagh PS	Lisburn
Ballymacward PS	Lisburn
Down Prep	Down
Dromara PS	Down
Glasswater PS	Down
St Joseph's PS Tyrella	Down
St Malachy's PS Kilcoo	Down
St Mary's PS Aughlinafin	Down
St Mary's PS Killyleagh	Down
St Patrick's PS Burrenreagh	Down
St Joseph's PS Killough	Down
St Mary's PS Saintfield	Down
Bloomfield PS	North Down
Crawfordsburn PS	North Down
St Comgalls PS Bangor	North Down
St Patrick's PS Holywood	North Down
Cygnets House Prep	North Down
St Patrick's PS Ballygalget	North Down
Sullivan Prep	North Down
Greyabbey PS	Ards
Castle Garden's PS	Ards
Loughries PS	Ards

**Southern Health and Social Care Trust**

School	Council
St. Michael's, Claddy	Armagh
Armstrong, Armagh	Armagh
Our Lady's St. Mochuas	Armagh
Clea Primary, Armagh	Armagh
Darkley, Armagh	Armagh
Hardy Memorial, Armagh	Armagh

<b>School</b>	<b>Council</b>
Our Lady's , Tullysarran	Armagh
Mount St. Catherine's, Armagh	Armagh
St. John's, Middletown	Armagh
Tandragee Primary School	Armagh
St. Mary's, Granemore	Armagh
St. Patrick's, Armagh	Armagh
Orchard County Primary School	Armagh
St. John's Moy	Armagh
Killylea	Armagh
Saints & Scholars	Armagh
Markethill	Armagh
St Jarlath's, Blackwatertown	Armagh
Cortamlet	Armagh
Mountnorris	Armagh
Annaghmore	Armagh
St Malachy's, Ballymoyer	Armagh
Clare Primary, Tandragee	Armagh
Lisnadill	Armagh
Collegelands, Moy	Armagh
St. Francis of Assisi, Keady	Armagh
Edendork	Dungannon
Dungannon	Dungannon
Fivemiletown	Dungannon
St. John's, Coalisland	Dungannon
Bush	Dungannon
St. Joseph's, Galbally	Dungannon
St. Patrick's, Dungannon	Dungannon
Richmount Primary	Dungannon
Cartntall Primary	Dungannon
Primate Dixon, Coalisland	Dungannon
Aghamullan	Dungannon
Walker Memorial	Dungannon
Windmill Integrated	Dungannon
Donaghmore	Dungannon
St. Mary's, Cabra	Dungannon
St. Patrick's, Roan	Dungannon
St. Patrick's, Donaghmore	Dungannon
St. Mary's, Aughnacloy	Dungannon
Abercorn	Banbridge
Fairhill, Kinallen	Banbridge
St. Mary's, Banbridge	Banbridge

<b>School</b>	<b>Council</b>
Bridge Primary School	Banbridge
St. Mary's, Rathfriland	Banbridge
Dromore Central	Banbridge
Edenderry, Banbridge	Banbridge
Dromore Road, Primary	Banbridge
St. Colman's, Dromore	Banbridge
Iveagh, Rathfriland	Banbridge
St. Patrick's, Hilltown	Newry
Holy Cross, Kilkeel	Newry
St. Mary's, Mullaghbawn	Newry
Glassdrummond Primary, Newry	Newry
St. Colman's, Kilkeel	Newry
Cloughoge Primary, Newry	Newry
St. Patrick's, Cullyhanna	Newry
Bessbrook Primary	Newry
St. Patrick's, Crossmaglen	Newry
St. Patrick's, Newry	Newry
St. Joseph's Convent, Newry	Newry
St. Joseph's, Bessbrook	Newry
St. Peter's, Bessbrook	Newry
Killean, Rostrevor	Newry
St. Mary's, Dechomet	Newry
Anamar	Newry
Dromintee	Newry
Clonalaig, Crossmaglen	Newry
St. Joseph's & St. James'	Newry
St. Joseph's, Ballymartin	Newry
Kilkeel	Newry
St. Malachy's, Camlough	Newry
Bunscoil, Newry	Newry
St. Peter's, Bessbrook	Newry
St. Ronan's, Newry	Newry
Grange, Kilkeel	Newry
St. Patrick's, Newry	Newry
St. Colman's Abbey, Newry	Newry
St. Dallan's, Warrenpoint	Newry
Brackenagh West, Kilkeel	Newry
Kilbroney	Newry
St. Patrick's in the Meadow, Newry	Newry
Moneydarragh, Kilkeel	Newry
St. Malachy's, Carnagat	Newry

<b>School</b>	<b>Council</b>
Ballyholland	Newry
St. Malachy's, Carrickcruppen	Newry
Bunscoil, Kilkeel	Newry
St. Laurence O'Tooles	Newry
St. Mary's, Derrytrasna	Craigavon
Hart Memorial	Craigavon
St. Patrick's, Aghacommon	Craigavon
Ballyoran	Craigavon
St. Francis	Craigavon
Carrick	Craigavon
Lurgan Model	Craigavon
St. Brendan's	Craigavon
Edenderry, Portadown	Craigavon
Dickson, Lurgan	Craigavon
St. Anthony's, Craigavon	Craigavon
Gilford Primary, Craigavon	Craigavon
Kings Park, Lurgan	Craigavon
Maralin Village	Craigavon
Bocombra, Portadown	Craigavon
Drumgor, Craigavon	Craigavon
Seagoe, Portadown	Craigavon
St. Patrick's, Derrymacash	Craigavon
Donaghcloney	Craigavon
Millington	Craigavon
Tannaghmore	Craigavon
St. John the Baptist	Craigavon
St. Teresa's, Lurgan	Craigavon

**Western Health and Social Care Trust**

<b>School</b>	<b>Council</b>
Ashlea PS Tullyally	Derry
Broadbridge PS Eglinton	Derry
Bunscoil Cholmcille Doire	Derry
Drumahoe PS	Derry
Ebrington PS	Derry
Eglinton PS	Derry
Faughanvale PS	Derry
Fountain PS	Derry
Glendermott PS	Derry
Good Shephard PS	Derry
Greenhaw PS	Derry

<b>School</b>	<b>Council</b>
Holy Family PS Ballymagroarty	Derry
Lisnagelvin PS	Derry
Londonderry Model PS	Derry
Long Tower PS	Derry
Mullabuoy PS	Derry
Nazereth House PS	Derry
Newbuildings PS	Derry
Oakgrove Integrated PS	Derry
Rosemount PS	Derry
Sacred Heart PS Trench Road	Derry
St Anne's PS Derry	Derry
St Brigid's PS Carnhill	Derry
St Eithne's PS Springtown Rd	Derry
St Eugene's PS Derry	Derry
St John's PS Derry	Derry
St Mary's PS Altinure Claudy	Derry
St Oliver Plunkett PS Strathfoyle	Derry
St Patrick's PS Pennyburn	Derry
St Paul's PS Slievemore Galliagh	Derry
St Therese PS Lenamore	Derry
Steelstown PS	Derry
Ballykelly PS	Limavady
Drumachose PS Limavady	Limavady
Faughanvale PS	Limavady
Limavady Central PS	Limavady
Roe Valley Integrated PS	Limavady
St Anthony's PS Bellerena	Limavady
St Canice's PS Dungiven	Limavady
St Canice's PS Feeny	Limavady
St Mary's PS Gortnahey Dungiven	Limavady
St Peter's & St Paul's PS	Limavady
Termoncanice Ps Limavady	Limavady
Aghadrumsee PS Ballinamallard	Fermanagh
Belleek No 2 PS	Fermanagh
Enniskillen Model PS	Fermanagh
Florencecourt PS	Fermanagh
Holy Trinity PS Mill St Enniskillen	Fermanagh
Jones Memorial Mullylogan	Fermanagh
Knocknagor PS Trillick Omagh	Fermanagh
Small-Fry Comm PG Killyshanbally	Fermanagh
St Davog's PS Belleek	Fermanagh

<b>School</b>	<b>Council</b>
St John the Baptist PS	Fermanagh
St Mary's PS Brookeborough	Fermanagh
St Mary's PS Maguiresbridge	Fermanagh
St Mary's PS Mullymesker	Fermanagh
St Mary's PS Newtownbutler	Fermanagh
St Mary's PS Teemore Derrylin	Fermanagh
St Naile's PS Kinawley	Fermanagh
St Ninnidh's PS Derrylin	Fermanagh
St Paul's PS Lisnarick Rd I	Fermanagh
All Saint's PS Tattysallagh Rd	Omagh
Christ the King PS Gortin Road	Omagh
Cooley PS Cooley Sixmilecross	Omagh
Envagh PS Drumquin Omagh	Omagh
Gibson PS Old Mountfield Road	Omagh
Holy Family Primary School	Omagh
Langfield PS Drumquin Omagh	Omagh
Loreto Convent PS	Omagh
McClintock PS Seskinore Omagh	Omagh
Newtownstewart Model PS	Omagh
Omagh County PS Campsie	Omagh
Our Lady of Lourdes PS	Omagh
Roscavey PS Beragh Omagh	Omagh
Sacred Heart PS Tattyreagh	Omagh
St Brigid's PS Cranagh Gortin	Omagh
St Columbkille's PS Carrickmore	Omagh
St Conor's PS Brookmount Rd	Omagh
St Dympna's PS Dromore	Omagh
St Lawrence's PS Fintona Omagh	Omagh
St Matthew's PS Garvaghey	Omagh
St Oliver Plunkett PS Beragh	Omagh
St Patrick's PS Eskra Omagh	Omagh
St Peter's PS Plumbridge Omagh	Omagh
Ardstraw PS Newtownstewart	Strabane
Barrack Street Boys Strabane	Strabane
Bready Jubilee PS Cloughboy Rd	Strabane
Donemana PS Longfield Road	Strabane
Edward's PS Castleberg	Strabane
Erganagh PS Castleberg	Strabane
Evish PS Dergalt Rd Evish	Strabane
Killen PS Castleberg	Strabane

## Fracture Clinics

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety to detail the (i) hospitals which operate a fracture clinic; (ii) number of patients treated at each fracture clinic in (a) 2011; and (b) 2012; and (iii) the cost of staffing each fracture clinic.

**(AQW 24297/11-15)**

**Mr Poots:**

- (i) & (ii) Hospitals that provide fracture clinics and the number of attendances at each of these clinics in the financial years 2011/12 and 2012/13 is shown in the table below.
- (ii) Total attendances at Outpatient Fracture Clinics by Hospital/HSC Trust: 2011/12-2012/13

Hospital/HSC Trust	Financial Year	
	2011/12	2012/13
Mater	2,380	2,173
RBHSC	6,451	5,838
Royal Victoria	32,628	31,444
Belfast HSCT	41,459	39,455
Antrim <sup>1</sup>	6,313	4,898
Mid-Ulster <sup>1</sup>	1,641	1,635
Whiteabbey <sup>1</sup>	-	1,623
Causeway Hospital <sup>1</sup>	2,954	2,539
Northern HSCT <sup>1</sup>	10,908	10,695
Downe	2,803	3,021
Lagan Valley	3,232	3,199
Ulster	15,548	16,341
South Eastern HSCT	21,583	22,561
Craigavon	11,706	12,870
Daisy Hill	3,757	3,703
Southern HSCT	15,463	16,573
Altnagelvin	15,862	16,070
South West Acute	3,071	3,227
Tyrone County	1,645	1,449
Western HSCT <sup>1</sup>	20,578	20,746

**Source:** Health and Social Care Trusts

- 1 Fracture services in the Northern HSC Trust are provided by visiting consultants from the Belfast and Western HCT Trusts. This activity is attributed to the Trust to which the visiting consultant is contracted to. Attendances at Antrim, Mid-Ulster and Whiteabbey hospital sites are attributed to the Belfast HSCT and attendances at the Causeway hospital site are attributed to the Western HSCT.

- (iii) The cost of staffing fracture clinics in each of the HSC Trusts is detailed below:

### Belfast HSC Trust

The approximate cost of staffing each individual fracture clinic is £648.

### Northern HSC Trust

The total cost of staffing fracture clinics, provided by visiting consultants, during 2012/13 was £80,588.



**South Eastern HSC Trust**

The total cost of staffing fracture clinics during 2012/13 was £294,649.40.

**Southern HSC Trust**

The approximate cost of staffing each individual fracture clinic is £950.

**Western HSC Trust**

The Western HSC Trust has advised they are unable to provide data on the cost of staffing fracture clinics as their fracture clinics are staffed as part of the full outpatient service and, as such, they are unable to individually cost these clinics in the timescale available.

**Fracture Clinics: Investment**

**Mrs McKeivitt** asked the Minister of Health, Social Services and Public Safety to list the fracture clinics that received investment or upgrade of facilities or equipment in the last five years; and to detail the level of investment or upgrade of facilities or equipment received.

**(AQW 24298/11-15)**

**Mr Poots:** The allocation of funding for hospital services is a matter for the Health and Social Care Board as service commissioner. I am advised by the Board that the amount of recurrent revenue funding allocated for trauma and orthopaedic services which incorporates the fracture clinics in the Belfast, Southern, South Eastern and Western Health and Social Care Trusts since 2007/08 was almost £23 million. In addition the fracture clinic at the Erne Hospital moved to new facilities in the South West Acute Hospital when the hospital opened on 21 June 2012.

**Family Support Hubs**

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety for an update on the Family Support Hubs.  
**(AQW 24317/11-15)**

**Mr Poots:** There are currently 16 established Family Support Hubs as outlined below

Trust Area	Hubs
Southern	3
South Eastern	3
Western	7
Northern	3

My Department has lead responsibility for the delivery of an additional 10 Family Support hubs under the Deliver Social Change Programme Direct family Support signature project

As part of the Family Support Hub project the development infrastructure has been put in place. In the Northern Trust area an additional Hub is coming "on-line" and one hub is currently in planning for the Belfast Trust area. In line with the Outcomes Groups priorities to enhance the existing early intervention services, the planning for additional investment in early intervention services to support Hub work has been completed and is ready to move to procurement.

An evaluation system for Hubs has been introduced across all existing Hubs and data capture will start across all Hubs for monitoring and evaluation purposes.

**Physiotherapy: Belfast Trust**

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to list the physiotherapy services provision in the Belfast Health and Social Care Trust, including locations.  
**(AQW 24324/11-15)**

**Mr Poots:** Physiotherapy Services are provided to patients within clinical settings across the Belfast Health and Social Care Trust area as shown in the attached Annex A.

**Annex A****Mental Health & Paediatrics**

- Mental Health Trauma team - Everton
- Conditions Management Programme – Glendenning House
- Children's Interdisciplinary Service – Everton

- Community Paediatrics – Hollywood Arches Health Centre; Bradbury Health Centre/ Shankill Health Centre/ Maureen Sheehan Centre
- Acute Paediatrics – Royal Belfast Hospital for Sick Children

#### Rehabilitation services

- Regional Acquired Brain Injury Unit – Musgrave Park Hospital (MPH)
- Neurosciences Unit, Royal Victoria Hospital (RVH)
- Neurodisability – MPH
- Regional Spinal Injury Unit – MPH
- Neurology outpatients, Belfast City Hospital (BCH)
- Meadowlands physio department (Older People's Services) – MPH
- Meadowlands Ambulatory Care Centre (Older People's Services) – MPH
- Mater Rehab team – Mater Hospital
- General Rehab team – BCH
- Elderly Rehab team – BCH
- Acute Medical Unit – RVH
- Vascular Unit – RVH
- Stroke Unit – RVH
- Domiciliary teams – Grove HWBC; Knockbreda Centre and Hollywood Arches
- Physical Disability teams – Beechall Day Centre; Woodlands Day Centre – Grove HWBC; Island Resource Centre
- Community Brain injury Team - Grove HWBC & Admin Building, Knockbracken
- Intermediate Care (Older People's Services) – Shankill HWBC; Knockbreda
- Intensive Domiciliary Support scheme (Older People's Services) - Shankill HWBC

#### Respiratory Services

- Community Palliative Care – Crumlin Road; Knockbreda
- Lymphoedema – BCH; Beechall HWBC; Grove HWBC; and sometimes Carlisle
- Oncology and Haematology teams – BCH Cancer Centre
- ICU teams – RVH; BCH; Mater Hospital
- General medical and surgical teams – RVH; BCH; Mater Hospital
- Bronchiectasis team – BCH
- Cystic Fibrosis Unit – BCH
- Burns and Plastics – RVH
- Community respiratory team – Shankill HWBC; Knockbreda Centre

#### Musculoskeletal, Trauma & Orthopaedics & Women's Health

- |   |   |
|---|---|
| ■ Trauma and fracture services – inpatients                             | RVH   |
| ■ Trauma and fracture services – outpatients                            | RVH   |
| ■ Splinting Service/Neofract  | MPH   |
| ■ Elective Orthopaedics – inpatients                                    | MPH   |
| ■ Ilizarov – in and outpatients   | MPH, BCH, RVH                                       |
| ■ Rheumatology adult and paediatric inpatients - and outpatients        | Knockbreda HWBC, Hollywood Arches                   |
| ■ Regional Disability Service - Limb Fitting Service in and outpatients | HWBC, Beechall HWBC, Carlisle HWBC, Grove HWBC      |
| ■ Musculoskeletal Outpatients   | RVH, MIH, BCH, Hollywood Arches HWBC, Carlisle HWBC |
| ■ Women's Health Services – in and outpatient services                  |   |

#### West Belfast Adult Learning Disability Team

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety why the Belfast Learning Disability Team have moved from the Maureen Sheehan centre to Glendenning House.

(AQW 24325/11-15)

**Mr Poots:** The West Belfast Adult Learning Disability Team has been temporarily relocated from the Maureen Sheehan Centre to Glendenning House in order to review and address security and safety issues relating to members of the team.

This temporary relocation relates solely to staff accommodation and has no impact on services provided.

### Mileage Allowance: HSCT Staff

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to outline any changes in the way staff claim mileage allowances in each Health and Social Care Trust.

**(AQW 24327/11-15)**

**Mr Poots:** Trusts have confirmed that there is currently no change in how staff claim mileage; it remains a paper based claim form completed by the claimant and authorised by the manager for payment. The only exception to this is in the Belfast Trust where staff may claim electronically through the e-mileage system (introduced in 2010) or via a paper based claim form.

### Domiciliary Care: Annual Budget

**Ms Maevé McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail the annual budget allocated for domiciliary care provision, broken down by Health and Social Care Trust area.

**(AQW 24333/11-15)**

**Mr Poots:** Details of the annual spend on domiciliary care, broken down by Health and Social Care Trust area in 2011/12, which is the latest year available, is set out in the table below:

Health & Social Care Trust	Expenditure £m
Belfast HSC	48.6
Northern HSC	44.8
South Eastern HSC	43.6
Southern HSC	44.2
Western HSC	30.1
<b>Total</b>	<b>211.3</b>

### Foster Carers: Non-fee Paid

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety how many new non-fee paid foster carers have been approved in each of the Health and Social Care Trust areas, over the past six months.

**(AQW 24340/11-15)**

**Mr Poots:** It is assumed that non-fee paid foster carers refers to those who do not receive enhanced payments or fees in acknowledgement of the greater time, effort and support required to care for some children.

Table 1 below details the number of new non-fee paid foster carers approved in each Health and Social Care Trust area over the past six months.

**Table 1: New Non-Fee Paid Foster Carers Approved 1st October 2012 – 31st March 2013**

Health and Social Care Trust	New Non-Fee Paid Foster Carers Approved
Belfast HSC Trust	14
Northern HSC Trust	31
South Eastern HSC Trust	22
Southern HSC Trust	35
Western HSC Trust	23
<b>Total</b>	<b>125</b>

**Source:** Health and Social Care Trusts Information Systems

**Note:** These figures have not been validated by the DHSSPS

### Foster Carers: Fee Paid

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety how many new fee paid foster carers have been approved in each of the Health and Social Care Trust areas, over the past six months; and whether Trusts' budgets have been increased to allow additional new fee paid foster carers to be recruited in the current financial year.

**(AQW 24341/11-15)**

**Mr Poots:** It is assumed that fee paid foster carers refers to those who receive enhanced payments or fees in acknowledgement of the greater time, effort and support required to care for some children.

Table 1 below details the number of new fee paid foster carers approved in Northern Ireland over the past six months.

**Table 1: New Fee Paid Foster Carers Approved 1st October 2012 – 31st March 2013**

	<b>New Fee Paid Foster Carers Approved</b>
<b>Total</b>	<b>15</b>

**Source:** Health and Social Care Trusts Information Systems

**Note:** These figures have not been validated by Community Information Branch DHSSPS

**Note:** Due to small numbers and to avoid personal disclosure it was not possible to provide a breakdown by HSC Trust

The Northern Trust received some non-reoccurring financial assistance in the last financial year to deal with an assessment backlog, but overall there has been no increase to the Trusts reoccurring funding for foster care recruitment or support.

### **Fire and Rescue Service: Agency Staff**

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the number of agency staff employed in the Fire and Rescue Service, broken down by (i) grade; and (ii) length of time in post.

**(AQW 24357/11-15)**

**Mr Poots:** There are 57 agency staff employed in the NIFRS. Their grades and time in post are set out in the table below.

<b>Grade</b>	<b>Length of time in post</b>
Scale 1	5 mths
Scale 2	3 years 10 mths
Scale 2	3 years 7 mths
Scale 2	2 years 4 mths
Scale 2	1 year 11 mths
Scale 2	1 year 9 mths
Scale 2	5 mths
Scale 3	5 years 2 mths
Scale 3	3 years 9 mths
Scale 3	3 years 3 mths
Scale 3	3 years 1 mth
Scale 3	2 years 9 mths
Scale 3	2 years 9 mths
Scale 3	1 year 11 mths
Scale 3	1 year 1mth
Scale 3	10 mths
Scale 3	9 mths
Scale 3	8 mths
Scale 3	8 mths
Scale 3	4 mths
Scale 3	3 mths
Scale 3	4 weeks
Scale 3 (18.5 hrs over 2 wks)	2 years 2 mths
Scale 3 (18.5 hrs over 2 wks)	8 mths
Scale 3 (2 P/T + 1 post)	4 years 9 mths
Scale 3 (20 hrs)	8 mths
Scale 3 (20.25 hrs)	3 years 7 mths

Grade	Length of time in post
Scale 4	5 years 9 mths
Scale 4	5 years 4 mths
Scale 4	3 years 5 mths
Scale 4	3 years 1 mth
Scale 4	1 year 1 mth
Scale 4	1 week
Scale 4 (18.5 hrs over 2 wks)	8 mths
Scale 5	2 years 2 mth
Scale 5	1 year 4 mths
Scale 6	1 year 9 mths
Scale 6	1 year 4 mths
Scale 6	1 year 2 mth
Scale 6	10 mths
Scale 6	4 mths
Scale 6	4 mths
Scale 6	1 mth
Scale 6	1 mth
Scale 6	1 week
SO1	3 years 3 mths
SO2	2 years 6 mths
SO2	2 years 4 mths
SO2	1 year
P03	2 years 7 mths
P03	4 mths
PO3	2 years 11 mths
PO3 (14.5 hrs)	3 years 9 mths
PO4 (29 hrs)	1 year
PO6	4 years 7 mths
PO6	4 mths
Director	2 mths

### Fire and Rescue Service: Agency Staff

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety whether there are any plans to permanently employ the agency staff in Fire and Rescue Service.  
(AQW 24358/11-15)

**Mr Poots:** There are no plans to permanently employ agency workers in NIFRS.

### Fire and Rescue Service: Agency Staff

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how many agency staff employed in the Fire and Rescue Service are former permanent employees of the Service.  
(AQW 24360/11-15)

**Mr Poots:** There are currently two agency workers in NIFRS who were previously employed as permanent employees of the Service; both are retired Firefighters.

## Fire and Rescue Service: Agency Staff

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to outline the procedure followed by the Fire and Rescue Service when employing agency and temporary staff.

**(AQW 24362/11-15)**

**Mr Poots:** Agency workers are engaged through a Business Services Organisation (BSO) Procurement Logistics Service Contract. The two agencies currently engaged on the contract are Premiere and Apple.

Premiere is approached in the first instance and, in the event that they are not able to supply staff in line with the Person Specification, Apple will then be approached. If neither Agency can meet the requirement then other Agencies will be engaged.

The NIFRS has employed Agency staff through Van Rath, Reed, Ashton, Diamond, Brightwater and Hayes before the current contract was put in place and two staff have been employed through Hayes since it was put in place.

## Hospital Porters: Job Descriptions

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety whether the job descriptions and grades for the Environmental teams within the Mater, Royal and City Hospitals in Belfast are the same.

**(AQW 24363/11-15)**

**Mr Poots:** I am advised that the term 'Environmental Team Porter' and its job description are unique to Patient and Client Support Services in the RVH. It describes a porter who moves waste, obsolete equipment and picks litter. The Environmental Team Porter does NOT undertake any patient-related activity such as pushing patients, changing gas, delivering post or collecting specimens or bloods.

The 'Porter' in BCH and the Mater perform similar waste-related duties to the Environmental Team Porters in the RVH. However, in BCH and Mater the Porters also provide the other patient-related duties (including postal delivery duties) if/as required and as such have different Job Descriptions from the Environmental Porter.

Both Porters and Environmental Team Porters in all three locations are paid as a Band 1.

## Tree and Hedge-cutting Contracts

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how many tree and hedge cutting contracts his Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years.

**(AQW 24379/11-15)**

**Mr Poots:** The number of maintenance contracts, which included hedge cutting services, awarded between 1 March and 31 August for the last three years by the Department and its arm's-length bodies, are as follows:

	1 March – 31 August		
	2012	2011	2010
Number of contracts awarded	2	-	4

## Bendamustine

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety how many patients with multiple myeloma, who are (i) over; and (ii) under the age of 70 years, are being treated by Bendamustine in each Health and Social Care Trust area.

**(AQW 24393/11-15)**

**Mr Poots:** Patients with multiple myeloma currently being treated by Bendamustine in each Health and Social Care Trust.

HSC Trust	Over 70 years of age	Under 70 years of age
Belfast	1	0
Northern	0	0
South Eastern	0	0
Southern	0	0
Western	0	1

**Source:** HSC Trusts

## Playgroups: Registration

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety for an update on the proposal to allow playgroups to register more than 26 children, as was to be discussed by the Regional Early Years Group.

**(AQW 24399/11-15)**

**Mr Poots:** Responsibility for registering playgroups lies with the Health and Social Care Trust. The maximum number of places for which a playgroup can be registered is 26.

All applications made by a registered playgroup seeking to increase numbers beyond this number must be made known to the Health and Social Care Board (HSCB) and will be dealt with on an individual setting basis.

The HSCB will consider whether it is safe and appropriate to raise the number of children that a setting is registered beyond 26 children. Only in exceptional circumstances will the request be granted.

## Tramadol

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety how many written prescriptions for Tramadol were issued in each of the last three years.  
(AQW 24413/11-15)

**Mr Poots:** The number of prescription items for drugs containing tramadol for which a prescription was written, dispensed by a community pharmacist, and presented for payment in each of the last three years is shown in table 1 below.

Figures relate to prescriptions which were dispensed by a community pharmacist or dispensing doctor, and presented for payment during the period. Not all prescriptions issued are subsequently dispensed and presented for payment, so the number of prescriptions issued is not known centrally.

The figures shown are presented by the year in which the prescription was paid to the pharmacist; it should be noted that there may be a time lag where prescriptions have been dispensed by the community pharmacist in a particular year but paid the following year. The data provided only covers drugs dispensed in primary care, as drugs prescribed and dispensed in hospital cannot be captured centrally due to the use of different hospital IT systems

**Table 1: The number of prescription items for tramadol which were dispensed and presented for payment by community pharmacists within each of the last three years.**

Year	No. of prescription items for tramadol
2012	431,382
2011	413,399
2010	393,801

**Source:** COMPASS Prescribing Information System, HSC

## Prescriptions: Number Issued

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether there has been an increase in the number of prescriptions issued over the last three years; and to give the reason for any increase.  
(AQW 24414/11-15)

**Mr Poots:** The historical trend is for prescription numbers to increase year on year and there has been an increase in the number of prescriptions issued over the last three years. There are a number of factors which may contribute to this including changes in demographics, the availability of new or more effective medicines for the prevention and treatment of illness and the implementation of clinical guidelines. By way of example, in the past three years the over 75-population has grown by over 6% and people in this age group generally have higher levels of medicines use.

## Mental Health: North Down Support Services

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what support services are available in North Down for young people diagnosed with mental health issues.  
(AQW 24463/11-15)

**Mr Poots:** Child and Adolescent Mental Health Services (CAMHS) in Northern Ireland are provided through a stepped care model, based on the clinical needs of the individual.

CAMHS to the North Down area are provided by the Belfast Health and Social Care Trust, on behalf of the South Eastern Health and Social Care Trust, from a local community based team in James Street, Newtownards. This is a multidisciplinary team which specialises in the assessment and intervention for under 18s with mental health needs and their families/carers.

Services for children and young people presenting in crisis, and requiring assessment and intervention within 24/48 hours, are provided by a Crisis Assessment Intervention Team, available 7 days per week to GPs and Emergency Departments.

Inpatient care for young people, when required, is provided in Beechcroft, the Regional Child and Adolescent Inpatient Mental Health Unit in Belfast.

## Tourette's Syndrome

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety what support and advice is available for people (i) waiting for a confirmed diagnosis of; and (ii) newly diagnosed with, Tourette's Syndrome.

**(AQW 24497/11-15)**

**Mr Poots:** Tourette's syndrome starts in childhood, and it is therefore generally diagnosed by Child and Adolescent Mental Health Services (CAMHS) or community paediatric services.

At the time of diagnosis, the young person and their parents/carers should be provided with information and guidance in relation to the overall management of the condition. Treatment may involve use of medication and individual therapeutic work with the young person. Where appropriate, links with school and support groups are important.

## A5: Funding Reallocation

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 23748/11-15, whether he will revisit his response to AQW 23807/11-15; and if he will publish the response he made to the Minister for Regional Development on the reallocation of funding from the A5 project.

**(AQW 24530/11-15)**

**Mr Poots:** I wrote to the Minister for Regional Development on 22 May 2013, noting that I saw little of strategic nature in his proposals and outlining my view that there were other more pressing areas of need that would benefit from this funding. I advised that I would be making a bid in June Monitoring. I subsequently submitted a range of bids totalling £57.8m.

## Obesity: Northern Trust Options

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety what options are available to patients in the Northern Health and Social Care Trust area to help with obesity.

**(AQW 24545/11-15)**

**Mr Poots:** My Department's obesity prevention framework, A Fitter Future for All, was launched in March 2012. It seeks to prevent and address overweight and obesity throughout the life course by increasing participation in physical activity and promoting eating a healthier diet.

In support of A Fitter Future for All, the following programmes and initiatives are available in the Northern Health and Social Care Trust area:

- **Fun, Food and Fitness** - pilot programme for obese adults and children in the Causeway area;
- **Health Matters Physical Activity Scheme** - 12-week physical activity programme available for patients with a Body Mass Index (BMI) >30;
- **Walking for Health Programmes** - there are approximately 600 walk leaders and 50 walking groups across the NHST area;
- **Start to Play Training** - training and resources provided to pre-school groups;
- **Outdoor gyms** – are free to use and located in Ballymena, Newtownabbey, Antrim, Magherafelt and Moyle Councils;
- **Measuring equipment and waist circumference training to support the public information campaign 'Choose to Live Better'**;
- **Recipe analysis to support the public information website choosetolivebetter.com;**
- **Maternal Obesity Pilot** – to provide enhanced support to pregnant women with a BMI > 40;
- **Family Motivate Model** – family obesity intervention model;
- **Carrickfergus Hearty Lives** – a multi-sectoral approach to enable 'at risk' families with young children to develop key skills to prevent obesity and reduce the risk of cardiovascular disease;
- **Cookstown Hearty Lives** – increase awareness of the impact of Coronary Heart Disease (CHD) for people most at risk in the Cookstown Council area; and
- **Northern Health and Social Care Trust Dietetic Services.**

## Department of Justice

### Prisoners: Risk Assessment

**Mr Allister** asked the Minister of Justice, pursuant to AQW 20923/11-15, to detail (i) which element of the formal risk assessment addresses the risk factors around the offence for which the prisoner is convicted; and (ii) how the risk is assessed, and the methodology the Northern Ireland Prison Service uses, given that the Probation Service assessment tool does not take into account the risk factors around the offence for which prisoners are convicted.

**(AQW 22054/11-15)**



**Mr Ford (The Minister of Justice ):** In the absence of an assessment tool which allows the specific risk factors associated with terrorist offences to be identified and measured the Northern Ireland Prison Service takes a range of other factors into account as set out in my response to AQW 20923/11-15.

### **Belfast Youth Court**

**Mr Allister** asked the Minister of Justice to outline the action being taken by his Department following an incident in Belfast Youth Court on 26 April 2013, when a defendant threw an object at the presiding District Judge.

**(AQW 22364/11-15)**

**Mr Ford:** My Department is not taking any further action following this incident. The presiding District Judge (Magistrates' Court) is content that no further action is required.

### **Prison Officers: Memorial Garden**

**Mr Easton** asked the Minister of Justice whether his Department has plans to build a garden of remembrance for Prison Officers who lost their lives during the Troubles.

**(AQW 24083/11-15)**

**Mr Ford:** Each prison establishment and the Prison Service College have small memorials which commemorate prison staff who were murdered.

I support, in principle, the creation of a memorial garden for prison staff and will consider this under the auspices of the Estates Strategy.

### **Prison Service: SPAR Training**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 14838/11-15 and AQW 16432/11-15, to provide an explanation for the disparity between the answer which stated that Supporting Prisoners at Risk training was delivered to over 600 staff, and AQW 16931/11-15 which states that it was delivered to 410 staff.

**(AQW 24088/11-15)**

**Mr Ford:** There is no disparity between the two answers. AQW 16931/11-15 asked for numbers of staff trained in Supporting Prisoners at Risk within specific grades.

The figure of 600 quoted in AQW14838/11-15 and AQW 16432/11-15 is inclusive of all NIPS operational staff.

### **Hydebank Wood: Prisoner Incident**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22432/11-15, why the incident was not known until after release from custody, given the reply in AQW 23386/11-15 of records being held and the fact that three members of staff sustained injury.

**(AQW 24101/11-15)**

**Mr Ford:** The Security department at Hydebank Wood were aware of this incident prior to Mr Townsend's release.

### **Prisoners: Compassionate Temporary Release**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23464/11-15, in relation to part (iii) of the original question, whether he will review the answer relating to an investigation, given that this refers to the handling of the incident by the Northern Ireland Prison Service, and not to the judicial decision or process.

**(AQW 24102/11-15)**

**Mr Ford:** The Northern Ireland Prison Service followed its normal procedures for processing a compassionate temporary release application. NIPS refused the application following the completion of a comprehensive risk assessment. This decision was subsequently overturned at a judicial review hearing. I do not believe that a review of how NIPS handled the incident is merited.

I have no power to review the decision taken by the Court. Therefore my original answer stands.

### **Prison Service: SPAR Training**

**Lord Morrow** asked Minister of Justice, pursuant to AQW 23114/11-15, given that a deceased fourth nursing officer, who was suspended and charged, was not trained and that the information provided by the Northern Ireland Prison Service in response to AQW 16052/11-15 is inaccurate, whether he will seek an immediate explanation from those responsible for providing this incorrect information, given that a number of anomalies have arisen in previous written answers concerning staff training.

**(AQW 24111/11-15)**

**Mr Ford:** The information previously supplied in AQW/16052/11-15 has been checked and has been assessed to be incorrect. The error occurred in the collation of records from a number of historical databases no longer in use. NIPS apologises for any misunderstanding.

## Legal Services Commission: Pay Strategy Business Case

**Mr Allister** asked the Minister of Justice, pursuant to AQW 23402/11-15, to confirm that the element of 09/10 pay progression included in the Pay Strategy Business Case only covers the period April 2010 to July 2010, and if so, whether he recognises (i) that for August 2009 to March 2010, the 09/10 pay progression period is not included in the business case; and (ii) that the Northern Ireland Legal Services Commission, as a discrete bargaining unit responsible for its own pay arrangements, can submit a separate request for payment of this missing element.

**(AQW 24134/11-15)**

**Mr Ford:** The Northern Ireland Legal Services Commission (NILSC) is a discrete bargaining unit responsible for its own pay arrangements and can put forward pay proposals for approval.

The Pay Strategy Business Case submitted by the NILSC covers the outstanding pay periods from 2010/2011 to 2012/2013 and also addresses pay progression for 2009/2010.

My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

## Limavady Courthouse

**Mr Campbell** asked the Minister of Justice, in relation to the usage of Limavady Courthouse in the last three years, to detail the estimated number of residents in the Limavady Borough Council area who will have to travel to (i) Coleraine; and (ii) Londonderry for court hearings in the first year after closure?

**(AQW 24139/11-15)**

**Mr Ford:** Limavady courthouse currently deals primarily with adult magistrates' court business. Family and youth court business is heard in Londonderry courthouse. Following closure all Limavady court business will transfer to Coleraine courthouse.

Criminal business is generally dealt with in the area where the offence occurred and not necessarily where the defendant resides. Not all defendants attend court and may be represented by their solicitor or may be dealt with by the court in their absence. Information on the home address and number of victims, witnesses and other users of Limavady courthouse is not routinely collected. On this basis it is not possible to estimate the number of residents in the Limavady Borough Council area who will have to travel to Coleraine courthouse when Limavady courthouse closes.

However, information on the number of adult defendants disposed of at Limavady courthouse during the period 2010 to 2012 is provided in the following table as an indication of potential business volumes.

### Limavady Adult Magistrates' Case Disposals – 2010 to 2012P

Business Area	Year		
	2010	2011	2012P
Adult magistrates' defendants	1,052	1,022	853

P Data is currently provisional

Source: ICOS

## Hydebank Wood: Costs

**Mr Copeland** asked the Minister of Justice to detail (i) the total number of prisoners serving a sentence at Hydebank Wood Young Offenders Centre and Prison; (ii) the number of inmates that were in employment before being sentenced; (iii) how many inmates were receiving at least one social security benefit before being sentenced; (iv) the annual cost of maintaining a single prisoner; and (v) the number of prisoners currently using prescribed medication.

**(AQW 24140/11-15)**

**Mr Ford:**

- (i) The total number of prisoners serving a sentence at Hydebank Wood Young Offenders Centre and Prison as at 12 June 2013 is as follows:

	No. of prisoners serving a sentence at Hydebank YOC and prison
Male	127
Female (Ash House)	45

- (ii) & (iii) The Northern Ireland Prison Service does not hold this information.
- (iv) The average cost per prisoner place over all establishments for 2012-13 is £66,494 (Subject to Audit).
- (v) For May 2013 the South East Trust dispensed medication, comprising 1 or more items, for 202 inmates, 69 females and 133 males.

## Hydebank Wood

**Mr Copeland** asked the Minister of Justice to detail, in each of the last five years (i) the number of prisoners who have served a sentence at Hydebank Wood Young Offenders Centre and Prison; and (ii) the number of prisoners who successfully gained employment upon release.

**(AQW 24141/11-15)**

**Mr Ford:** In answer to (i), the table below shows the number of prisoners from Hydebank Wood Young Offenders Centre and Prison who have been released after serving a sentence during each of the last five years. It should be noted that figures relating to females are for all females, not just young offender females who have been released after serving a sentence.

### Numbers Released from Hydebank Wood Young Offenders Centre and Prison

Year	Males	Females	All
2008	441	194	635
2009	474	186	660
2010	510	235	745
2011	498	280	778
2012	451	324	775

It is not possible to provide an answer to (ii) as the Prison Service does not hold this information.

## Hydebank Wood: Educational Facilities

**Mr Copeland** asked the Minister of Justice whether prisoners who seek educational facilities at Hydebank Wood Young Offenders Centre and Prison are being provided with the facilities.

**(AQW 24143/11-15)**

**Mr Ford:** There are a range of educational facilities available at Hydebank Wood Young Offenders Centre and Prison as well as vocational arts and crafts and library facilities. All new committals complete an educational assessment and are offered the opportunity to take part in education classes to suit their ability.

Those who request and seek out educational activities are offered places as soon as they become available.

A tender exercise to obtain additional provision from an external provider or college by September is ongoing.

## Hydebank Wood: Literacy Teachers

**Mr Copeland** asked the Minister of Justice how many literacy teachers are working at Hydebank Wood Young Offenders Centre and Prison.

**(AQW 24144/11-15)**

**Mr Ford:** There is currently one literacy teacher working at Hydebank Wood Young Offenders Centre and Prison.

A tender exercise to obtain additional provision for Hydebank's Learning and Skills Centre from an external provider or college by September 2013 is ongoing. Additional literacy teachers form part of this tender.

## Joseph McManus

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23466/11-15, whether Joseph McManus had been granted similar release before; and if the terms had been breached.

**(AQW 24146/11-15)**

**Mr Ford:** As outlined in my original answer, Mr McManus has not been granted any similar periods of release during his current sentence.

## Prison Service: SPAR Training

**Lord Morrow** asked the Minister of Justice, in relation to comments made by the Chief Executive of NIACRO published on 5 June 2013 that the same issues relating to how the Prison Service deals with vulnerable prisoners are being raised repeatedly and that concerns about the Supporting Prisoners at Risk process had been raised previously by NIACRO and other agencies and, given the failings of the Prisoner at Risk process, whether he will direct a review in conjunction with the South Eastern Health and Social Care Trust, to establish whether the process can be developed further and improved to address the concerns highlighted.

**(AQW 24166/11-15)**

**Mr Ford:** The Prison Service's Suicide and Self Harm Prevention Policy which includes the Supporting Prisoners at Risk procedures are subject to ongoing review. All issues of concern are carefully considered by the Prison Service and the South Eastern Health and Social Care Trust.

### Police Fund: Board of Directors

**Mr Girvan** asked the Minister of Justice to detail the board of directors of the Northern Ireland Police Fund for the last 3 years; and to detail any relevant interests which were declared by the directors.

**(AQW 24227/11-15)**

**Mr Ford:** I have confirmed with the Northern Ireland Police Fund the details of the Board of Directors for the past three financial years, together with their declared interests. These are detailed in the following table.

Board Director	Declared Interests: 2010/11 – 2012/13
Colin Burrows	Member of the Northern Ireland Retired Police Officers' Association (NIRPOA). Director Critical Intervention Consultancy Services Limited.
Richard Miller	Nil.
Dr Richard Bryans	Nil.
Ken Lindsay	Recipient of Part Time Reserve (PTR) Gratuity.
Margaret Hunter	Head of Compliance and Training for Noonan Services Group (formerly Federal Security). Federal Security Management Team. Temporary Panel Member Medical Tribunals. Casual Work for Northern Ireland Public Sector Enterprises Limited (NICO).
Isaac Clarke	Trustee Ulster Defence Regiment Benevolent Fund.
Charles Jenkins	Consultant Drumkeen Limited. Consultant MJM Marine Limited. Consultant McMullan Architectural Group Limited. Non Executive Director Belfast Health & Social Care Trust. Executive Chairman Drumkeen Limited. Non Executive Chairman MJM Group Limited.
Will Kerr	Nil.
Terry Spence	Recipient of PTR Gratuity.
David McClurg	Director Police Retraining and Rehabilitation Trust. Honorary Vice President NIRPOA. Former Secretary of RUC Benevolent Fund. Former PTR Constable. Recipient of PTR Gratuity. Practice Manager Edwards and Company Solicitors.
Geraldine Rice	Councillor Castlereagh Borough Council. Commissioner and Board Member Staff Commission for Northern Ireland. Commissioner at Belfast and Castlereagh Local Health Group. Commissioner Human Rights Commission. Board Member Northern Ireland Fire and Rescue Services. Alderman Castlereagh Borough Council. Member of the Board of Governors Lagan College. Local Commissioning Group Member Belfast Health & Social Services. Board Member Clanmill Housing Association. Non-Executive Director Clanmill Ireland. Non Executive Director Clanmill Properties.
Dr John Galway	Nil.
Adela Carlisle	Trustee RUC George Cross Foundation.

## Prison Service: Suicide and Self-harm Prevention Policy 2011

**Lord Morrow** asked the Minister of Justice, in relation to the Northern Ireland Prison Service Suicide and Self Harm Prevention Policy 2011 (i) whether the Head of the Custody Branch, responsible for the corporate oversight for the full implementation and standard operating procedure, conducted a review in, or prior to, March 2013 as stated in the policy and if so, to detail the findings; and (ii) if no review was conducted to provide an explanation for this.

**(AQW 24239/11-15)**

**Mr Ford:** The Prison Service continues to keep the Suicide and Self Harm Prevention Policy and Standard Operating Procedures subject to ongoing review.

A formal review of the Northern Ireland Prison Service Suicide and Self Harm Prevention Policy will be taken forward as part of the Prison Service Headquarters re-structuring project and wider reform programme.

## Prison Service: Disciplinary Investigations

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22288/11-15 and AQW 17980/11-15, to detail, in relation to paragraph 44 by Dr Tony Pearson in the Prison Review Team Report of June 2009, (i) whether consideration was given to the suggestion that a bank of experienced investigators, including retired senior police officers and others with investigative skills, should conduct disciplinary investigations; (ii) the rationale for rejecting Dr Pearson's suggestions in favour of using staff from the Northern Ireland Civil Service; (iii) the status of the proposed new Northern Ireland Prison Service Codes of Conduct and Ethics and the Professional Standards Branch; and (iv) when the new system will be fully operational.

**(AQW 24242/11-15)**

**Mr Ford:** In relation to parts (i), (ii) and (iii) I refer the Member to the responses I gave to AQW/21007/11-15 on 3 April and AQW/21834/11-15 on 1 May.

The new disciplinary system, including the new Professional Standards Unit and the new Codes of Conduct and Ethics, will become fully operational on Monday 9 September 2013.

## Prison Service: Prisoner Adjudications

**Lord Morrow** asked the Minister of Justice to detail (i) whether the Northern Ireland Prison Service has an operational policy and guidelines on Prisoner Adjudications that details how vulnerable prisoners, those at risk of suicide or self-harm or exhibiting disturbing behaviour, having a previous history of such behaviour are to be appropriately managed and which articulates the core considerations that Governors must bear in mind before deciding to impose an award, in particular cellular confinement; and (ii) whether in such cases, there is discretion for Governors not to impose a penalty on a prisoner.

**(AQW 24250/11-15)**

**Mr Ford:** The Manual on the Conduct of Adjudications sets out the rules and guidance for adjudicators. Adjudicators conduct hearings in accordance with the laid down procedure, which requires them to take consideration of the Tarrant Principles (as cited in *ex parte Tarrant* 1983). Adjudicators should also take into consideration any known information regarding the well being of the prisoner, for example if they are being managed under the Supporting Prisoners At Risk (SPAR) procedures, any other individual concerns of a personal nature that, if the charge is proven, might influence the award that may be given. Awards should be proportionate and relevant to the offence committed; taking consideration of the effect it could have on the individual and on the good order and discipline of the establishment.

An award for cellular confinement can not be levied without the offender being certified by a healthcare professional that he or she is mentally and physically well enough for this restriction.

Adjudicators have the discretion not to make any award if they deem it appropriate for any reason.

Prison Rules allow for the Governor to remit or mitigate any award imposed by an adjudicator.

## Welfare Reform: DOJ Impact

**Mr Copeland** asked the Minister of Justice for his assessment of how Welfare Reform will impact on the aims and objectives of his Department.

**(AQW 24265/11-15)**

**Mr Ford:** The primary impact of Welfare Reform on my Department will be the need to make new arrangements for making decisions based on means-testing. Currently, such decisions are often taken by reference to the receipt of particular benefits (known as "passporting benefits"). The introduction of Universal Credit will make this more difficult. The main services affected are legal aid, reimbursement of costs incurred by families in visiting prisons, and the waiver in some circumstances of court fees. My officials are working closely with the Department of Social Development to resolve this.

## **Prison and Young Offenders Centre (Amendment) Rules (NI) 2009: Rules 85 and 86**

**Lord Morrow** asked the Minister of Justice, in relation to the Prison and Young Offenders Centre (Amendment) Rules (NI) 2009, (i) why Rule 85 – Medical Officer, and Rule 86 – Duties of a Medical Officer are omitted in this statutory instrument; (ii) whether an impact assessment was prepared on this issue; and (iii) if not, to detail the reason.

**(AQW 24274/11-15)**

**Mr Ford:** Rules relating to Medical Officers and their duties were removed from The Prison and Young Offenders Centre (NI) Rules 2005 as amended by The Prison and Young Offenders Centre (Amendment) Rules (NI) 2009 due to the fact that since 2005 only one Medical Officer was employed by the Northern Ireland Prison Service, the role being replaced by community-based General Practitioners. It was therefore necessary to remove references in law to them and replace with references to Registered General Practitioners and/or Healthcare Professionals.

No impact assessment was conducted (other than the assessment covering the amendments in their entirety) as there was no loss of service. Medical Officers were simply replaced by Registered General Practitioners and/or Healthcare Professionals.

## **Maghaberry Prison: Multi-disciplinary Addictions Team**

**Lord Morrow** asked the Minister of Justice, in relation to recommendation HP97 of the Criminal Justice Inspectorate report of December 2012 on the establishment of an adequately staffed multi-disciplinary Addictions Team at Maghaberry Prison; whether the Northern Ireland Prison Service, in conjunction with the South Eastern Health and Social Care Trust, plan to set up such a team; and if so, to outline the current status of the team; and; or if no Addictions Team is to be established, to outline his rationale for this decision.

**(AQW 24276/11-15)**

**Mr Ford:** The Governor of Maghaberry is currently giving consideration to setting aside an area within the prison and developing a therapeutic regime to assist individuals with various types of addictions.

Should introducing this type of residential landing prove feasible, the Northern Ireland Prison Service would seek to work closely with partner agencies such as the South Eastern Health and Social Care Trust and Adept Addiction Services in order to establish a multi disciplinary Addictions Team.

## **Policing Board: Disablement Reviews**

**Mr Allister** asked the Minister of Justice, given the statutory duty of the Northern Ireland Policing Board to assess injuries and authorise medical examinations, why the Chief Executive of the Board has suspended the processing of disablement reviews.

**(AQW 24287/11-15)**

**Mr Ford:** The Chief Executive of the Policing Board wrote to me on 8 February 2013 advising of his intention to suspend all degree of disablement reviews to enable a full review of the administration of Injury on Duty awards to be carried out. If you require further information you may wish to contact the Chief Executive of the Policing Board.

## **Legal Services Commission: Criminal Justice Inspection Report**

**Mr Allister** asked the Minister of Justice when the report on the Criminal Justice Inspectorate's visit to the Northern Ireland Legal Services Commission in late 2012 will be published.

**(AQW 24288/11-15)**

**Mr Ford:** I am advised that the report should be available for publication by September, subject to any issues arising at the factual accuracy checking stage.

## **Legal Services Commission: Future**

**Mr Allister** asked the Minister of Justice when he will announce the future status of the Northern Ireland Legal Services Commission.

**(AQW 24289/11-15)**

**Mr Ford:** My officials advised the Justice Committee on 20 June 2013 that, following careful consideration, I had decided to give effect to the Access to Justice Review recommendation by closing the Northern Ireland Legal Services Commission and transferring its responsibilities to a new Legal Services Agency which will be an Executive Agency of the DOJ.

The change in status will require legislation and I am currently seeking Executive approval to draft the new Legal Services Agency Bill. The change in status will also require the approval of DFP and a business case is being prepared for this purpose.

## **Legal Services Commission: Staff Pay**

**Mr Allister** asked the Minister of Justice whether he will ensure that any unresolved Northern Ireland Legal Services Commission (NILSC) pay remit issues will be resolved and paid before a change in status of the NILSC.

**(AQW 24290/11-15)**

**Mr Ford:** Resolving the issue of staff pay is one of a number of matters which require to be addressed as part of the closure of the NILSC and its replacement with a Legal Services Agency.

My officials will continue to work with the NILSC to address the outstanding issues and to ensure that, when completed, any agreed Pay Strategy is passed to DFP for financial approval.

### **Legislation: DOJ**

**Mr Weir** asked the Minister of Justice to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24295/11-15)**

**Mr Ford:** My legislative plans between now and the end of the current Assembly mandate in April 2015 are for the introduction of three Department of Justice Bills along with a fourth Bill in conjunction with the Minister of Health, Social Services and Public Safety.

I plan to introduce a Legal Services Agency Bill to deliver a business critical change to the status of the Northern Ireland Legal Services Commission; a Faster Fairer Justice Bill to speed up the justice process, improve access, and enhance services for victims and witnesses of crime; and a Fines and Enforcement Bill to tackle fine default and increase court sentencing options.

The Minister of Health, Social Services and Public Safety and I are working jointly on a Mental Capacity Bill to reform mental health legislation which the Minister of Health will introduce.

We will of course consider the implications for the programme if the current Assembly mandate were to be extended by one year as proposed in the Northern Ireland (Miscellaneous Provisions) Bill 2013 currently before Parliament

### **Injunctive Relief Order**

**Mr Allister** asked the Minister of Justice, pursuant to AQW 11075/11-15, whether the order which was extant at the date of answer has been discharged and, if so, when.

**(AQW 24355/11-15)**

**Mr Ford:** The order has not been discharged and is still extant. Further information cannot be provided without risking contravening the terms of the order.

### **Human Trafficking: Court Cases**

**Lord Morrow** asked the Minister of Justice to detail the number of cases currently in the court system which involve human trafficking, broken down by (i) Magistrates Court; and (ii) Crown Court; and of these, how many have an associated element involving sexual offences, including the control of prostitution.

**(AQW 24361/11-15)**

**Mr Ford:** As of 17 June 2013, there were four active cases involving offences of human trafficking. Of these cases, two are before the Magistrates' Court, one is before the Crown Court and one is before the Court of Appeal. All four cases include a charge of controlling prostitution for gain.

### **TV Licence: Custodial Sentence**

**Mr Campbell** asked the Minister of Justice what plans he has for alternatives to custodial sentences for those failing to pay fines as a result of not having a television licence.

**(AQW 24383/11-15)**

**Mr Ford:** I have an extensive programme of work already underway to provide alternatives to imprisonment for fine default – a programme that applies to non-payment of any fine, not just in relation to television licence evasion. My programme includes measures to prevent default in the first instance; to improve the collection of fines; and to reduce the level of imprisonment for non-payment.

In terms of prevention, a Fine Collection Scheme has been operating extremely successfully since 2009 to remind people of payment dates and to encourage payment before default occurs. As a result, the collection of fines has significantly improved with 28% more defendants making payment and over £4.9 million collected without the need for any police enforcement as a result of the Scheme. I have also had two pilot exercises of the Supervised Activity Order (SAO) disposal in operation to provide a community based alternative to reduce levels of imprisonment. These pilots have recently ended and are currently undergoing evaluation with early indications that the schemes have had value in diverting some people to community alternatives.

At a strategic level I am taking forward plans for more fundamental changes to the collection of fines through the creation of a civilian enforcement system. A civilian-based service will largely replace the role of police officers in the enforcement of fines by creating fines officers with a range of powers to collect fines and prevent default. Fines officers will have the authority to secure fine payment through deductions from earnings or benefits whilst ensuring that people on low incomes will have appropriate income standards protected.

The programme of work I already have underway, along with the longer term strategy I have developed, provides a range of options that I believe will create a fine enforcement system that is effective, efficient and fair.

### Police Fund: Chronic Pain Spend

**Mr Girvan** asked the Minister of Justice to detail the spend on chronic pain management to clients of the Northern Ireland Police Fund in the last three years.

**(AQW 24434/11-15)**

**Mr Ford:** The Northern Ireland Police Fund has advised that their spend on chronic pain management for clients in the last three financial years, is as detailed below:

Year	Total Spend
2012/13	£10,888
2011/12	£7,866
2010/11	£6,912
<b>Total</b>	<b>£25,666</b>

### Prison Officers: G8 Pay

**Mr Girvan** asked the Minister of Justice why there is a discrepancy in the pay scales for prison officers compared to PSNI staff, considering that a G8 financial budget has been provided to both the PSNI and the Northern Ireland Prison Staff to pay for additional staff wages for those covering G8 Summit 2013.

**(AQW 24451/11-15)**

**Mr Ford:** The duties undertaken by prison officers during the G8 Summit were those associated with their normal day to day work as prison officers. Therefore, normal pay scale rates of pay were appropriate.

### NIACRO: Fraud

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 15793/11-15 and given the public funds involved and the subsequent crown court case in which two staff from the Northern Ireland Association for the Care and Resettlement of Offenders (NIACRO) admitted to defrauding £155,000 from the accounts, whether he will instigate (i) an immediate review into the accountancy practices and monitoring of NIACRO; and (ii) an inquiry into how this cash was taken on a regular basis without adequate scrutiny.

**(AQW 24504/11-15)**

**Mr Ford:** I am unable to comment on this case given the ongoing Court proceedings.

## Department for Regional Development

### Asbestos Pipes: Antrim/Newtownabbey

**Mr Girvan** asked the Minister for Regional Development to detail the roads in (i) Antrim Borough Council; and (ii) Newtownabbey Borough Council which are served by asbestos water pipes.

**(AQW 23462/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I have been advised by Northern Ireland Water (NIW) that the roads in (i) Antrim Borough Council; and (ii) Newtownabbey Borough Council which are served or partially served by asbestos cement water mains are as detailed in the tables below.

(i) Antrim Borough Council

Road Name	Town/Locality
Anderson Court	Doagh
Anderson Park	Doagh
Antrim Road	Templepatrick
Ballyalbanagh Road	Ballyclare
Ballybracken Road	Doagh
Ballyclare Road	Newtownabbey



<b>Road Name</b>	<b>Town/Locality</b>
Ballycorr Grove	Ballyclare
Ballycorr Road	Ballyclare
Ballycraigy Road	Templepatrick
Ballycraigy Road North	Templepatrick
Ballycraigy Road South	Newtownabbey
Ballyearl Road	Newtownabbey
Ballyeaston Road	Ballyclare
Ballyeaston Village	Ballyclare
Ballyhamage	Doagh
Ballylinney Road	Ballyclare
Ballymartin Road	Doagh
Ballymena Road	Doagh
Ballynashee Road	Ballyclare
Ballypalady Road	Doagh
Ballyrobert Road	Newtownabbey
Ballyvesey Road	Newtownabbey
Beech Green	Doagh
Bernice Road	Newtownabbey
Braepark Road	Ballyclare
Breckenhill Road	Doagh
Brickhill Park	Newtownabbey
Bridge Road	Doagh
Brook Meadow	Doagh
Brookfield Road	Kilbride
Browns Road	Newtownabbey
Burnside Court	Doagh
Burnside Park	Doagh
Burnside Road	Doagh
Carlisle Road	Templepatrick
Carnanee Road	Templepatrick
Carnbank	Templepatrick
Carnmoney Road North	Newtownabbey
Carntall Road	Newtownabbey
Cedar Lodge	Newtownabbey
Church Road	Ballynure
Clarke Lodge Road	Newtownabbey
Cogry Manor	Doagh
Cogry Road	Doagh
Coles Row	Newtownabbey
Collin Road	Ballyclare
Cotton Mount Terrace	Newtownabbey

<b>Road Name</b>	<b>Town/Locality</b>
Craigarogan Road	Newtownabbey
Craiglands Drive	Newtownabbey
Crescentburn	Doagh
Derry Road	Newtownabbey
Doagh Road	Newtownabbey
Douglas Avenue	Kilbride
Douglasland	Doagh
Douglasland Road	Doagh
Downey Bungalows	Ballyclare
Drumadarragh Road	Doagh
Earlford Heights	Newtownabbey
Elmwood Cottages	Newtownabbey
Elmwood Grove	Newtownabbey
Exchange Avenue	Doagh
Fort Road	Newtownabbey
Glebe Road West	Newtownabbey
Grange Lane	Newtownabbey
Gravelhill Road	Newtownabbey
Highgate Drive	Newtownabbey
Hightown Park	Newtownabbey
Hightown Road	Newtownabbey
Hillhead Road	Ballyclare
Holestone Road	Doagh
Hollybrook Avenue	Newtownabbey
Hollybrook Crescent	Newtownabbey
Hollybrook Grange	Newtownabbey
Hollybrook Grove	Newtownabbey
Hollybrook Road	Newtownabbey
Horseshoe Road	Ballyclare
Hydepark Road	Newtownabbey
Kellburn Park	Doagh
Kilbride Road	Doagh
Kiln Road	Newtownabbey
Kingsmoss Road	Newtownabbey
Knowehead Road	Templepatrick
Lakeview Avenue	Newtownabbey
Liester Park	Ballyclare
Lismenary Road	Ballyclare
Lisnalinchy Road	Ballyclare
Logan Gardens	Ballyclare
Logwood Road	Ballyclare

<b>Road Name</b>	<b>Town/Locality</b>
Lower Ballyboley Road	Ballyclare
Lower Rashee Road	Ballyclare
Lower Size Hill	Ballyclare
Lowtown Road	Templepatrick
Lylehill Road East	Templepatrick
M2	Newtownabbey
Main Street	Doagh
Mallusk Road	Newtownabbey
Manse Road	Templepatrick
Mayfield Gardens	Newtownabbey
Mayfield Road	Newtownabbey
Merville Garden Village	Newtownabbey
Mill Green	Doagh
Mill Road	Doagh
Millbank Road	Templepatrick
Millbank Road East	Templepatrick
Mossley Road	Ballyrobert
Mossvale Road	Newtownabbey
Moyra Road	Doagh
Oak View	Templepatrick
Old Coach Road	Templepatrick
Old Mill Crescent	Newtownabbey
Old Mill Mews	Doagh
Orpinsmill Road	Doagh
Osterley Park	Newtownabbey
Park Road	Newtownabbey
Parkmount Court	Newtownabbey
Parkmount Road	Newtownabbey
Plantation Avenue	Newtownabbey
Plantation Way	Newtownabbey
Rashee Road	Ballyclare
Rea Hill Road	Newtownabbey
Rectory Road	Doagh
Riverside	Doagh
Rogan Manor	Newtownabbey
Roughfort Road	Newtownabbey
Sallybush Road	Newtownabbey
Sawmill Road	Ballyclare
Sealstown Road	Newtownabbey
Sentry Lane	Newtownabbey
Shore Road	Newtownabbey

<b>Road Name</b>	<b>Town/Locality</b>
Springvale Heights	Doagh
Springvale Road	Ballyclare
Springwell Road	Templepatrick
Station Road	Doagh
The Birches	Doagh
The Burn Road	Doagh
The Glade	Newtownabbey
The Longshot	Doagh
The Willows	Ballyrobert
Tobarcooran Avenue	Newtownabbey
Trench Lane	Newtownabbey
Trenchill Avenue	Ballyclare
Trenchill Road	Ballyclare
Tudor Park	Newtownabbey
Uppertown Drive	Newtownabbey
Victoria Road	Ballyclare
Village Green	Doagh
Willcroft Meadows	Ballyclare

## (ii) Newtownabbey Borough Council

<b>Road Name</b>	<b>Town/Locality</b>
Anderson Court	Doagh
Anderson Park	Doagh
Antrim Road	Templepatrick
Ballyalbanagh Road	Ballyclare
Ballybracken Road	Doagh
Ballyclare Road	Newtownabbey
Ballycorr Grove	Ballyclare
Ballycorr Road	Ballyclare
Ballycraig Road	Templepatrick
Ballycraig Road North	Templepatrick
Ballycraig Road South	Newtownabbey
Ballyearl Road	Newtownabbey
Ballyeaston Road	Ballyclare
Ballyeaston Village	Ballyclare
Ballyhamage	Doagh
Ballylinney Road	Ballyclare
Ballymartin Road	Doagh
Ballymena Road	Doagh
Ballynashee Road	Ballyclare
Ballypalady Road	Doagh

<b>Road Name</b>	<b>Town/Locality</b>
Ballyrobert Road	Newtownabbey
Ballyvesey Road	Newtownabbey
Beech Green	Doagh
Bernice Road	Newtownabbey
Braepark Road	Ballyclare
Breckenhill Road	Doagh
Brickhill Park	Newtownabbey
Bridge Road	Doagh
Brook Meadow	Doagh
Brookfield Road	Kilbride
Browns Road	Newtownabbey
Burnside Court	Doagh
Burnside Park	Doagh
Burnside Road	Doagh
Carlisle Road	Templepatrick
Carnanee Road	Templepatrick
Carnbank	Templepatrick
Carnmoney Road North	Newtownabbey
Carntall Road	Newtownabbey
Cedar Lodge	Newtownabbey
Church Road	Ballynure
Clarke Lodge Road	Newtownabbey
Cogry Manor	Doagh
Cogry Road	Doagh
Coles Row	Newtownabbey
Collin Road	Ballyclare
Cotton Mount Terrace	Newtownabbey
Craigarogan Road	Newtownabbey
Craiglands Drive	Newtownabbey
Crescentburn	Doagh
Derry Road	Newtownabbey
Doagh Road	Newtownabbey
Douglas Avenue	Kilbride
Douglasland	Doagh
Douglasland Road	Doagh
Downey Bungalows	Ballyclare
Drumadarragh Road	Doagh
Earlford Heights	Newtownabbey
Elmwood Cottages	Newtownabbey
Elmwood Grove	Newtownabbey
Exchange Avenue	Doagh

<b>Road Name</b>	<b>Town/Locality</b>
Fort Road	Newtownabbey
Glebe Road West	Newtownabbey
Grange Lane	Newtownabbey
Gravelhill Road	Newtownabbey
Highgate Drive	Newtownabbey
Hightown Park	Newtownabbey
Hightown Road	Newtownabbey
Hillhead Road	Ballyclare
Holestone Road	Doagh
Hollybrook Avenue	Newtownabbey
Hollybrook Crescent	Newtownabbey
Hollybrook Grange	Newtownabbey
Hollybrook Grove	Newtownabbey
Hollybrook Road	Newtownabbey
Horseshoe Road	Ballyclare
Hydepark Road	Newtownabbey
Kellburn Park	Doagh
Kilbride Road	Doagh
Kiln Road	Newtownabbey
Kingsmoss Road	Newtownabbey
Knowehead Road	Templepatrick
Lakeview Avenue	Newtownabbey
Liester Park	Ballyclare
Lismenary Road	Ballyclare
Lisnalinchy Road	Ballyclare
Logan Gardens	Ballyclare
Logwood Road	Ballyclare
Lower Ballyboley Road	Ballyclare
Lower Rashee Road	Ballyclare
Lower Size Hill	Ballyclare
Lowtown Road	Templepatrick
Lylehill Road East	Templepatrick
M2	Newtownabbey
Main Street	Doagh
Mallusk Road	Newtownabbey
Manse Road	Templepatrick
Mayfield Gardens	Newtownabbey
Mayfield Road	Newtownabbey
Merville Garden Village	Newtownabbey
Mill Green	Doagh
Mill Road	Doagh

<b>Road Name</b>	<b>Town/Locality</b>
Millbank Road	Templepatrick
Millbank Road East	Templepatrick
Mossley Road	Ballyrobert
Mossvale Road	Newtownabbey
Moyra Road	Doagh
Oak View	Templepatrick
Old Coach Road	Templepatrick
Old Mill Crescent	Newtownabbey
Old Mill Mews	Doagh
Orpinsmill Road	Doagh
Osterley Park	Newtownabbey
Park Road	Newtownabbey
Parkmount Court	Newtownabbey
Parkmount Road	Newtownabbey
Plantation Avenue	Newtownabbey
Plantation Way	Newtownabbey
Rashee Road	Ballyclare
Rea Hill Road	Newtownabbey
Rectory Road	Doagh
Riverside	Doagh
Rogan Manor	Newtownabbey
Roughfort Road	Newtownabbey
Sallybush Road	Newtownabbey
Sawmill Road	Ballyclare
Sealstown Road	Newtownabbey
Sentry Lane	Newtownabbey
Shore Road	Newtownabbey
Springvale Heights	Doagh
Springvale Road	Ballyclare
Springwell Road	Templepatrick
Station Road	Doagh
The Birches	Doagh
The Burn Road	Doagh
The Glade	Newtownabbey
The Longshot	Doagh
The Willows	Ballyrobert
Tobarcooran Avenue	Newtownabbey
Trench Lane	Newtownabbey
Trenchill Avenue	Ballyclare
Trenchill Road	Ballyclare
Tudor Park	Newtownabbey

Road Name	Town/Locality
Uppertown Drive	Newtownabbey
Victoria Road	Ballyclare
Village Green	Doagh
Willcroft Meadows	Ballyclare

The use of asbestos cement water pipes for the supply of drinking water is not a health concern. There is not a specific programme to replace asbestos cement mains and they will be replaced over time as part of NIW's normal water mains rehabilitation programme.

### Ballinacarry Bridge

**Ms Fearon** asked the Minister for Regional Development for an update on the Ballinacarry Bridge project.  
(AQW 24052/11-15)

**Mr Kennedy:** My Department and the National Roads Authority (NRA) have both assessed the Ballinacarry Bridge scheme, taking safety, accessibility, integration, economy and the environment into account. The result of this exercise indicated that the scheme scored low on the priority list of proposed projects.

The Irish Authorities have concentrated road improvement funding on the completion of the five major inter-urban routes and I understand that in the current economic climate, it is envisaged that it will be some time before the NRA will be in a position to allocate funds to the Ballinacarry Bridge scheme.

While I recognise the benefits of the scheme and am supportive of the drive to progress the replacement of the bridge, the current levels of funding do not permit this. Unfortunately, given these circumstances, it will not be possible to deliver the scheme without a commitment from the NRA.

### Wastewater Treatment: Tullygarley

**Mr Swann** asked the Minister for Regional Development, in relation to Tullygarley Wastewater Treatment Works, to detail (i) the discharges from the facility into the River Maine from 3 June 2013 to 10 June 2013; (ii) the treatment that was carried out on the sewage discharged; and (iii) whether continued disposal of sewage waste into river courses represents the best possible environmental option.

(AQW 24121/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that consent for a continuous discharge of treated final effluent from Tullygarley Wastewater Treatment Works to the River Maine has been issued by the Northern Ireland Environment Agency (NIEA) in order to protect the receiving watercourse. The quality of effluent discharged is monitored by NIEA through a sampling program.

With regard to

- (i) during the period 3 June to 10 June 2013 the Works was sampled twice by NIEA and all results were found to be within the consented limits. The Works has a consent standard of 15mg/litre Biological Oxygen Demand, 25mg/litre Suspended Solids and 3mg/litre Ammonia.
- (ii) The treatment stages at Tullaghgarley Works include inlet screening, primary treatment, activated sludge secondary treatment, final settlement treatment and a tertiary treatment of sand filters. In addition, chemical dosing for phosphorous removal is also present.
- (iii) The current Urban Wastewater Treatment Directive recommendation of treating wastewater via a treatment works and discharging a consented final effluent into a river course continues to be the best possible environmental option.

### Wastewater Treatment: Sewage

**Mr Swann** asked the Minister for Regional Development to detail all watercourses that receive discharged treated sewage waste from Northern Ireland Water facilities.

(AQW 24122/11-15)

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that consents for discharges from wastewater treatment works to watercourses are issued by the Northern Ireland Environment Agency in order to protect the receiving watercourse.

NIW currently holds 1,058 of these consents and details of the treatment works and the receiving waterways are set out in the table below. In some rural locations, small wastewater treatment works may discharge to unnamed watercourses and tributaries.

Location of Treatment Facility	Receiving Waterway
Abbacy Rd WWTW	Stream to Stangford Lough



<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Acton WWTW	Stream to Newry Canal
Aghadrumsee WWTW	Tributary Upper Lough Erne
Aghagallon	Goudy River
Aghalee	Aghalee Burn
Aghanloo	River Roe
Aghinlig WWTW	Callen River
Aghnaghar WWTW	Tributary Oona Water
Aghnaskew WWTW	Tributary Colebrooke River
Aghory WWTW	Unnamed Watercourse
Agivey Rd 199-201 WWTW	Agivey River
Aiken Town Parks WWTW	Tributary Grange River
Altamuskin (Septic Tk)WWTW	Camowen River
Altishane WWTW	Tributary Burn Dennet
Altmore WTW WWTW	Altmore River
Altnahinch WWTW	River Bush
Altnamackan WWTW	County Water
Annacloy	Annacloy River
Annaghmore	River Tall
Annaghmore Rd 28 WWTW	Lough Neagh
Annaghquinn Rd 49 WWTW	Tributary Killymoon River
Annaghugh	Tributary River Tall
Annahilt	Ballynahinch River
Annalong	Irish Sea
Annsborough	Ballybannan River
Antrim (Milltown)	Lough Neagh
Anville Crescent WWTW	River Bann
Ardess WWTW	Tributary Kesh River
Ardgarvan WWTW	River Roe
Ardglass	Irish Sea
Ardground WWTW	Tributary River Faughan
Ardlough Road (40-42) WWTW	Unnamed Watercourse
Ardress WWTW	Tall River
Ards South	Irish Sea
Ardstraw	River Derg
Armagh Rd (202-206) WWTW	Unnamed Watercourse
Armagh Rd - 1 WWTW	Tributary Newry River
Armagh Rd - 3 WWTW	Tributary Newry River
Armoy	River Bush
Arney WWTW	Arney River
Artigarvan	Glenmornan River
Artigarvan Lower WWTW	Glenmornan River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Arvalee WWTW	Unnamed Watercourse
Ashfield, Dromore WWTW	Tributary River Lagan
Attical Tullyframe WWTW	Yellow Water
Aughagash WWTW	Glenarm River
Aughakillymaud WWTW	Tributary Upper Lough Erne
Aughanduff Cottages WWTW	Tributary Forkhill River
Augher	River Blackwater
Aughil WWTW	Tributary Lough Foyle
Aughnacleagh WWTW	Tributary Lower Bann
Aughnacloy	River Blackwater
Aughnacloy Rd WWTW	Tributary Upper Bann
Aughnavallog WWTW	Tributary Upper Bann
Auglish WWTW	Tributary Cusher River
Backlower Rd 111-115 WWTW	Soakaway
Badoney WWTW	Tributary Owenreagh River
Ballee Road (77-81) WWTW	Unnamed Watercourse
Ballee Road WWTW	Unnamed Watercourse
Ballee WWTW	Tributary Irish Sea
Ballinamallard	Ballinamallard River
Ballinamullan WWTW	Tributary Camowen River
Ballinderry Rd 45 WWTW	Tributary River Lagan
Ballinlea Rd - 81 WWTW	Tributary Inver Burn
Ballinrees WTW WWTW	Tributary Lower Bann
Ballinteer WWTW	Tributary Black Burn
Ballintemple WTW WWTW	Soakaway
Ballintoy RT WWTW	North Atlantic
Ballsmill St WWTW	Tributary Culy Water
Ballyagan WWTW	Agivey River
Ballyalton Rd 20-22 WWTW	Tributary Enler River
Ballyardel WWTW	Tributary White Water
Ballyavelin Road (133-135) WWTW	Tributary Castle River
Ballybarnes Rd 80 WWTW	Tributary Cully Burn
Ballybentragh Rd 66-72 WWTW	Sixmile Water
Ballybogey	Burngushet River
Ballybogie Road (7-9) WWTW	Tributary Faughan River
Ballybrick WWTW	Tributary River Bann
Ballycairn WWTW	Tributary River Lagan
Ballycarry	Cloghfin Bay via Ballystrudder PS
Ballycassidy	Ballycassidy River
Ballycastle	Rathlin Sound
Ballyclare	Six Mile Water

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Ballycleagh WWTW	Tributary Irish Sea
Ballycorr Grove WWTW	Tributary of Six Mile Water
Ballycoshone Rd WWTW	Unnamed Watercourse
Ballycranbeg	Tributary Blackstaff River
Ballycreely Rd 38-44 WWTW	Tributary Comber River
Ballycrochan Rd 228-230 WWTW	Tributary Strangford Lough
Ballydermot Rd 7-9 WWTW	Tributary Lough Beg
Ballydonaghy Rd 1-4 WWTW	Tributary Crumlin River
Ballydrain Rd 39-43 WWTW	Tributary Graffan Burn
Ballyeasborough Rd WWTW	Tributary Irish Sea
Ballyfrench Rd 1-3 WWTW	Tributary Irish Sea
Ballygalget Rd 1 WWTW	Soakaway
Ballygarvigan WWTW	Tributary Irish Sea
Ballygawley	Ballygawley Water
Ballygowan	Ballygowan River
Ballygowan Rd 102-104 WWTW	Tributary River Blackwater
Ballygowan Rd 41-47 WWTW	Tributary Comber River
Ballygowan Rd WWTW	Tributary River Cusher
Ballygowans WWTW	Soakaway
Ballygruby WWTW	Tributary Ballymully River
Ballyhacket WWTW	Tributary North Atlantic
Ballyhalbert	Irish Sea
Ballyheather Road (121-123) WWTW	Tributary Burn Dennet
Ballyhome WWTW	Tributary Burn Gushet River
Ballyhornan	Irish Sea
Ballykelly	Un-named watercourse
Ballykelly, Blackskull WWTW	Tributary Upper Bann
Ballykinler	Dundrum Bay
Ballyknock WWTW	Flesk Water
Ballylintagh (New) WWTW	Macosquin River
Ballylisk WWTW	Tributary River Bann
Ballylumford Cott WWTW	Larne Lough
Ballymacallion WWTW	Tributary River Gelvin
Ballymacauley WWTW	Tributary Ballybay River
Ballymacnab WWTW	Tributary Butter Water
Ballymaconaghy WTW WWTW	Soakaway
Ballymacormick WWTW	Tributary Lower Bann
Ballymaderfy WWTW	Tributary Carlingford Lough
Ballymagorry	Glenmornan River
Ballymaguigan WWTW	Unnamed Watercourse
Ballymaguire Rd 33-35 WWTW	Trib Ballinderry River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Ballymarlagh WWTW	Deerfin Burn
Ballymartin	Irish Sea
Ballymena (Tullaghgarley)	River Maine
Ballymiscaw Rd 1-4 WWTW	Tributary Enler River
Ballymiscaw Rd 37 WWTW	Tributary Enler River
Ballymoney (Glenstall)	Lower Bann
Ballymore WWTW	Tributary Upper Bann
Ballymoyer WWTW	Tributary Cusher River
Ballynadolly WWTW	Ballinderry River
Ballynafie WWTW	Tributary River Bann
Ballynagalliagh WWTW	Killyfaddy Water
Ballynagard (Ballyvoy) WWTW	Tributary Glenshesk River
Ballynahinch	Ballynahinch River
Ballynahinch (Co Armagh) WWTW	Tributary Tall River
Ballynahye Rd (3) WWTW	Ballygawley Water
Ballynamullan Rd 32-34 WWTW	Lough Neagh
Ballynashee 71-77 WWTW	Tributary Loop Burn
Ballynease Rd 160-164 WWTW	Soakaway
Ballynease WWTW	Tributary River Bann
Ballyquin WWTW	River Roe
Ballyrainey Rd 6-67 WWTW	Tributary Enler River
Ballyrashane Rd 21 WWTW	Tributary Lower Bann
Ballyrashane Rd 37/39 WWTW	Tributary Lower Bann
Ballyrock WWTW	Tributary River Bush
Ballyronan	Lough Neagh
Ballyroney Road WWTW	Tributary Ballyroney Lake
Ballyrussell WWTW	Tributary Moygannon River
Ballysallagh (Diamond Rd) WWTW	Tributary River Laga
Ballystrudder SPS	Cloughfin Bay
Ballytober Rd 1-3 WWTW	Tributary Larne Lough
Ballytrim WWTW	Tributary Dibney River
Ballyutoag WWTW	Black Burn
Ballyvarley WWTW	Tributary River Cusher
Ballyveely WWTW	Flesk Water
Ballyvelton Rd 23 WWTW	Soakaway
Ballyvelton Rd 45-51 WWTW	Soakaway
Ballyvoy	Tributary Carey River
Ballywalter	Irish Sea
Ballyward WWTW	Drumadonnell River
Ballywhiskin	Irish Sea
Banbridge	Upper Bann

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Bankside Shinn WWTW	Tributary Clanrye River
Bar Hall WWTW	Strangford Lough
Beagh WWTW	Tributary Curragh Burn
Bearney Road (55-61) WWTW	Unnamed Watercourse
Beechill WWTW	Clanrye River
Belcoo	Belcoo River
Belfast	Belfast Lough
Belfast Rd (56-58) WWTW	Tributary Larne River
Belfast Rd 207-209 WWTW	Tributary Blackwater
Bellaghy	Tributary Lough Beg
Bellany WWTW	Tributary Bann Brook
Belleek (Co. Armagh)	Tributary River Cushier
Belleek (Co. Fermanagh)	River Erne
Belleek (WTW) WWTW	River Erne
Bells Hill WWTW	Tributary River Quoile
Bellshill Rd 63-65 WWTW	Tributary Moyola River
Bellshill Rd 83-85 WWTW	Tributary Moyola River
Beltrim WWTW	Tributary Owenkillen River
Benburb	River Blackwater
Benone	Sub soil irrigation
Benvardin Rd WWTW	Tributary Burn Gushet River
Beragh	Cloughfin River
Blackrock Retention Tank (Down) WWTW	Irish Sea
Blackskull	River Lagan
Blackstaff St WWTW	Blackstaff River
Blackwatertown	River Blackwater
Blaney WWTW	Soakaway
Boghill Rd 52/54 WWTW	Tributary Lower Bann
Boghill WWTW	Soakaway
Bohulkin WWTW	Tributary Tempo River
Bolea WWTW	Curly River
Boleran Rd WWTW	Tributary Mettican River
Bonds Glen Road (149-151) WWTW	Un-named stream to River Fuaghan
Bonds Glen Road (65-67) WWTW	Unnamed Watercourse
Bonnaboigh	Bovevagh River
Bovean WWTW	Tributary River Blackwater
Boveedy WWTW	Tributary Mayoghill River
Bovevagh Rd (37-41) WWTW	Bovevagh River
Brantry WWTW	Tributary River Blackwater
Bready	River Foyle
Bregagh Rd 56-58 WWTW	Tributary River Bush

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Bregagh Rd 60-62 WWTW	Tributary River Bush
Bregagh Rd 68-70 WWTW	Tributary River Bush
Bresagh WWTW	Tributary Ravarnett River
Brisland Road (3-5) WWTW	Muff River
Broagh WWTW	Tributary Moyola River
Brockaghboy WWTW	Brockaghboy River
Brookeborough	Colebrooke River
Buckna WWTW	Glen Burn
Burnquarter WWTW	Caldanagg Burn
Burren Rd WWTW	Tributary Shimna River
Bushmills	River Bush
Cabragh	Oona Water
Caheney WWTW	Mayogill River
Caledon	River Blackwater
Camus WWTW	Mourne River
Capecastle WWTW	Tributary Tow River
Cappagh WWTW	Altmore River
Cargan	Cargan Water
Cargin WWTW	Lough Neagh
Carmean Rd 42-46 WWTW	Soakaway
Carmean WWTW	Tributary Ballymully River
Carnalbanagh WWTW	Glenarm River
Carnalea Rd WWTW	Tributary Quiggery River
Carnally WWTW	Soakaway
Carnan WWTW	Unnamed Watercourse
Carnanbane WWTW	Owenrigh River
Carnbeg WWTW	Tributary Lower Bann
Carnduff Retention Tank WWTW	North Atlantic
Carneyhough WWTW	Clanrye River
Carnlough Road WWTW	Tributary Priests Burn
Carnteel Road WWTW	Tributary Oona Water
Carran Hill Street WWTW	Soakaway
Carrickfergus	Belfast Lough
Carricklongfield Rd (21-23)WWTW	Unnamed stream leading to Carrick Lough
Carrickmore	Camowen River
Carricknaveagh WWTW	Tributary Carsons Dam River
Carrickrovaddy WWTW	Tributary Cully Water
Carrig Place WWTW	Tributary Creggan River
Carrigenagh WWTW	Cross Water
Carrontreemal WWTW	Tributary Lough Macnean Lower
Carrowclare	Burnfoot River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Carrowdore	Tributary Ballyrolly Burn
Carrowdore Rd 38-40 WWTW	Soakaway
Carrowreah Rd (68-70) WWTW	Doughery Water
Castle Archdale	Lower Lough Erne
Castlecaulfield	River Torrent
Castlederg	River Derg
Castlemellan Lower WWTW	Burn Dennet
Castlemellan Upper WWTW	Burn Dennet
Castlenagree WWTW	Tributary River Bush
Castletown WWTW	Soakaway
Castlevennon WWTW	Tributary River Bann
Castlewellan Rd (Banbridge) WWTW	Tributary River Bann
Castlewellan Rd (Dromore) WWTW	Tributary River Lagan
Castlewellan Rd WWTW	Soakaway
Castor Bay WWTW	Lough Neagh
Caugh Hill WWTW	Tributary Owenrigh River
Causeway Rd 122 WWTW	Tributary North Atlantic
Causeway Rd 15 WWTW	Tributary North Atlantic
Causeway Rd 180 WWTW	Tributary North Atlantic
Causeway Rd 30 WWTW	Tributary Atlantic
Cavanacaw WWTW	Creevan Burn
Cavanagrow WWTW	Tributary River Callan
Charlestown WWTW	Tributary Lough Neagh
Chatham WWTW	Doughery Water
Cherryvalley Rd 24 WWTW	Tributary Crumlin River
Church Hill WWTW	Tributary Lower Lough Erne
Churchfield Rd WWTW	Carey River
Clabby	Tributary Many Burns River
Clady	River Finn
Cladymore WWTW	Clady Water
Clare, Cookstown WWTW	Tributary Ballinderry River
Clarehill	Aghadowey River
Clarehill Rd WWTW	Unnamed Watercourse
Clatteringford Wd WWTW	Tributary Comber River
Claudy	River Faughan
Clay lake WWTW	Soakaway
Clogh	Clogh River
Clogher	River Blackwater
Cloghmills	Cloghmills Water
Cloghoge Rd WWTW	Tributary River Cusher
Clontyclay WWTW	Tributary River Blackwater

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Clough	Ardilea River
Cloughey	Irish Sea
Cluntoe Richardson	Lough Neagh
Coagh	Ballinderry River
Coagh Rd 20-22 WWTW	Tributary Ballymully river
Coalisland	River Torrent
Cogry Rd 25-27 WWTW	Tributary Doagh River
Comber Rd, Killinchy 102-106 WWTW	Tributary Blackwater
Commons School Rd 8-10 WWTW	Tributary Newry River
Concession Road WWTW	River Fane
Coneyisland WWTW	Irish Sea
Connaught Rd 21 WWTW	Tributary River Main
Conthem Rd	Carriguillin Burn
Cookstown	Ballinderry River
Coole Glebe WWTW	Tributary River Bann
Coolkeeran WWTW	Enivor Burn
Coolnagoppoge WWTW	Tributary Carey River
Coolsythe Rd 23 WWTW	Soakaway
Coragh WWTW	Soakaway
Corbally Rd 45 WWTW	Soakaway
Corbet WWTW	River Bann
Corbrackley Rd WWTW	Unnamed Watercourse
Corchoney Lane 2-4 WWTW	Soakaway
Corcreechy Rd WWTW	Tributary Clanrye River
Corgary Cottages WWTW	Tributary Newry River
Corickbeg Road WWTW	Stackerny Burn
Corkhill WWTW	Tributary Ballinamallard River
Corkill WWTW	Soakaway
Cornakessagh WWTW	Tributary Colebrooke River
Cornamuck WWTW	Tributary Owenreagh River
Corrickmore WWTW	Tributary Owenkillew River
Corrinure WWTW	Tributary River Cusher
Corry WWTW	Soakaway
Corvanaghan WWTW	Tributary Ballinderry River
Craigarodden Rd 6 WWTW	Tributary Irish Sea
Craigarusky Rd 66 WWTW	River Blackwater
Craigavole WWTW	Tributary Clady River
Craigdarragh Rd 85 WWTW	Tributary Belfast Lough
Craigmore Rd 139 WWTW	Aghadowey River
Craigmore Rd 18-20 WWTW	Soakaway
Craignasasonagh WWTW	Tributary Ravarnette River



<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Craigyarren WWTW	Tributary Braid River
Cranagh WWTW	Glenelly River
Cranfield	Carlingford Lough
Cranfield (Co Antrim) WWTW	Tributary Lough Neagh
Crankill WWTW	Tributary Clgh River
Creagh	Moyola River
Creaghcor WWTW	River Foyle
Crebarkey WWTW	Tributary River Roe
Creevanaghar WWTW	Tributary Creevan Burn
Creevery WWTW	Tributary Fergusons Water
Creggan Rd 27 WWTW	Tributary Lough Neagh
Crew Bridge WWTW	River Derg
Crilly WWTW	Tributary Blackwater
Cross lane (2-6) WWTW	Soakaway
Cross Lane 9-11 WWTW	Tributary River Lagan
Crosskeys Rd WWTW	Tributary River Bann
Crossmaglen	Creggan River
Crossnamoyle WWTW	Carryhugh Glen
Culbane WWTW	Tributary Agivey River
Culcrow WWTW	Macosquin River
Cullaville	Tributary Fane River
Cullion (Bready) WWTW	Burngibbagh
Cullyhanna	Cullyhanna River
Cullyramer WWTW	Tributary Mayoghill River
Culmore Point WWTW	Lough Foyle
Culnady Rd 46-50 WWTW	Tributary Grillagh River
Culramoney Rd 5 WWTW	Tributary Breckagh Burn
Curglasson WWTW	Tributary Ballinderry River
Curran WWTW	Grange Water
Cushendall	Irish Sea
Cushendun	North Channel
Cushleake Rd 37-39 WWTW	Tributary Glendun River
Darkley	River Callan
Dartress WWTW	Unnamed Watercourse
Davagh Park WWTW	Broughderg Burn
Deerpark Rd 92 WWTW	Tributary Lough Beg
Deffrick WWTW	Tributary Stracam River
Demoan Villas WWTW	Tributary Newry River
Dempsey Park WWTW	River Bann
Derg WWTW	Soakaway
Dernaflaw	Owenbeg River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Derryaghna WWTW	Derryaghna Drain
Derryanvil WWTW	Tributary River Bann
Derrycrin	Ballinderry River
Derrygonnelly	Sillies River
Derrygortrevy WWTW	Tributary Oona River
Derryhale	Ballybay River
Derryhaw WWTW	Tynan River
Derrykeighan WWTW	Tributary Bush River
Derrylin	Tributary Lough Erne
Derrymagowan WWTW	Tributary Blackwater
Derrymore	Lough Neagh
Derrynoose WWTW	Tributary Clay River
Derryork Road (33-35) WWTW	Galvin Burn
Derrytrasna	Tributary River Bann
Dervock	Dervock River
Desertmartin	Grange Water
Diamond Cottages 1 WWTW	Tributary Lough Neagh
Diviny WWTW	Unnamed Watercourse
Doan Place WWTW	Tributary River Rhone
Donagh WWTW	Tributary Moorlough Lake
Donagheady WWTW	Burngibbagh River
Donaghey No 1 WWTW	Tributary Killymoon River
Donaghey No 2 WWTW	Tributary Killymoon River
Donaghmore	River Torrent
Donemana	Burn Dennett
Donnelly Park WWTW	Tributary River Bann
Donnybrewer	Lough Foyle
Donnybrewer Road (97-99) WWTW	Unnamed Watercourse
Donnybrewer Road (98) WWTW	Unnamed Watercourse
Doogary WWTW	Tributary Cor River
Dooish WWTW	Tributary Drumquin
Doorless WWTW	Tributary Ballinderry River
Dorisland WTW WWTW	Tributary Belfast Lough
Dorsy WWTW	Forkhill River
Dougan Place WWTW	Tributary Upper Bann
Douglas Bridge WWTW	Douglas Burn
Downpatrick	Quoile River
Drapersfield WWTW	Ballinderry
Draperstown	Moyola River
Dree Hill WWTW	Tributary River Lagan
Dreenan Rd 38-40 WWTW	Tributary Grillagh River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Drennans Rd 6 WWTW	Dunore River
Dromara	River Lagan
Dromara Rd WWTW	Tributary River Lagan
Dromore (Down)	River Lagan
Dromore (Tyrone)	Owenreagh River
Dromore Highlands WWTW	Bessbrook River
Dronehill Rd WWTW	Tributary River Bann
Drones WWTW	Flesk Water
Drumagarner Rd 148-150 WWTW	Soakaway
Drumagarner Rd 212-218 WWTW	Tributary Clady River
Drumagarner WWTW	Tributary Lisnagroa River
Drumalig 62 WWTW	Tributary Ravarnett River
Drumalig Rd (9-11) WWTW	Unnamed Watercourse
Drumane WWTW	Tributary Lisnagroa River
Drumaness	Ballynahinch River
Drumaran Road WWTW	Tributary Upper Bann
Drumard Newmills WWTW	Tributary Torrent River
Drumard Primate WWTW	Tributary River Blackwater
Drumard Terrace WWTW	Tributary Lisnagroa River
Drumaroad WTW WWTW	Tributary Moneycarrie River
Drumaroad WWTW	Moneycarrie River
Drumavalley	Lough Foyle
Drumavoley Rd 39 WWTW	Soakaway
Drumavoley Rd 83 WWTW	Tributary Glenshesk River
Drumbeg	River Lagan
Drumbolg Rd 98-100 WWTW	Soakaway
Drumcovis 16-18 WWTW	Soakaway
Drumcroon WWTW	Macosquin River
Drumenagh Rd 29 WWTW	Lough Neagh
Drumenny House WWTW	Soakaway
Drumenny Rd 120 WWTW	Tributary Lough Neagh
Drumenny WWTW	Burn Dennet
Drumflugh rd (75-77) WWTW	Unnamed Watercourse
Drumgay (1) WWTW	Drumgay Lough
Drumgay (2) WWTW	Drumgay Lough
Drumgooland WWTW	Tributary River Bann
Drumgreavagh WWTW	Moygannon River
Drumhillary WWTW	Unnamed Watercourse
Drumhirk WWTW	Tributary Strangford Lough
Drumilly WWTW	Tributary River Cusher
Drumintee	Tributary Flurry River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Drumkee WWTW	Tributary River Blackwater
Drumlegagh Church Rd (63-65) WWTW	Tributary Fairy Water
Drumlegagh Church Rd WWTW	Tributary Fairy Water
Drumlegagh Old WWTW	Tributary Fairy Water
Drumlough WWTW	Tributary of River Lagan
Drummack WWTW	Colebrook River
Drumman Hill WWTW	Tributary River Callan
Drummond WWTW	Castle River
Drummullan WWTW	Lissan Water
Drumnacannon Rd 20-22 WWTW	Soakaway
Drumnaferry WWTW	Unnamed Watercourse
Drumnakilly WWTW	Tributary Camowen River
Drumnascamph WWTW	Tributary Upper Bann
Drumneechy WWTW	Gelvin River
Drumquin	Drumquin River
Drumraighland WWTW	Tributary Burnfoot River
Drumreagh Rd 9-11 WWTW	Tributary Blackwater River
Drumreagh WWTW	Soakaway
Drumshambo WWTW	Tributary Ballinderry River
Drumsurn	Castle River
Drumsurn Road (234-238) WWTW	Tributary Castle River
Dunboe Rd 75-77 WWTW	Soakaway
Duncastle Road (52-60) WWTW	Unnamed Watercourse
Dundoonan WWTW	Tributary Lower Bann
Dundrod WWTW	Crumlin River
Dundrum (Armagh) WWTW	Callan River
Dundrum (Down)	Dundrum Bay
Duneany WWTW	Unnamed Watercourse
Dungiven	River Roe
Dungonnell WTW WWTW	Dungonnell Water
Dungorbery WWTW	Tributary Breckagh Burn
Dunloy	River Maine
Dunmore Cottages WWTW	Irish Sea
Dunmullan WWTW	Cappagh Burn
Dunmurry	River Lagan
Dunnamore	Ballinderry River
Dunnyboe Road (85-93) WWTW	Un-named stream to Burn Dennet
Dunore WTW (Septic tank No 1) WWTW	Lough Neagh
Dunore WTW (Septic tank No 2) WWTW	Dunore River
Dunore WTW(3) WWTW	Soakaway
Dunronan Rd 25-27 WWTW	Tributary Galter Bog

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Dunseverick RT WWTW	North Atlantic
Dyan WWTW	Unnamed Watercourse
Edenderry	River Lagan
Edenderry (Co Tyrone) WWTW	Tributary Camowen River
Edendoit 107-109 WWTW	Rock River
Edendoit 22-32 WWTW	Tributary Rock River
Edenmore Rd WWTW	Tributary Castle River
Edenreagh Road (39-41) WWTW	Muff Glen River
Edentiroory WWTW	Tributary River Lagan
Edergoole Road (87-89) WWTW	Un-named stream to Quiggery water
Ederney	Glendurragh River
Eglis	Oona Water
Eglis (Armagh) WWTW	Tributary Lough Neagh
Enniskillen	Lough Erne
Ervey Rd WWTW	Tributary Crunkin Burn
Eskragh WWTW	Eskragh Water
Fallahogy WWTW	Tributary Inverroe River
Farmacaffley WWTW	Unnamed Watercourse
Farranflugh WWTW	Tributary Min Burn
Faughan WWTW	River Faughan
Feeny	Owenbeg River
Ferris Bay ST WWTW	Irish Sea
Feumore WWTW	Lough Neagh
Fincarn WWTW	Altcatan Water
Fintona	Quiggery Water
Fivemiletown	Colebrooke River
Florencecourt	Arney River
Foffanybane WTW (New) WWTW	Shimna River
Foffanybane WTW (Old) WWTW	Tributary Muddock River
Ford Rd 27 WWTW	Soakaway
Foreglen	Tributary Wood Burn
Foreglen Road (51-53) WWTW	Unnamed Watercourse
Forked Bridge WTW WWTW	Tributary Ballinderry River
Forkhill	Forkhill River
Fourmile WWTW	Tributary Newry River
Galbally	Tributary Altmore River
Gallrock WWTW	Stream to Lough Neagh
Garrison	Lough Melvin
Garryduff Church WWTW	Soakaway
Garryduff WWTW	Tributary Ballymoney River
Garvagh	Agivey River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Garvaghy	Tributary Routing Burn
Garvetagh WWTW	Tributary River Derg
Gilford	Upper Bann
Glack WWTW	Tributary Ballykelly River
Glarryford (WTW) Septic Tank WWTW	Tributary River Maine
Glarryford WWTW	River Maine
Glasdrumman	Tributary Irish Sea
Glasdrumman (Crossmaglen) WWTW	Tributary Glasdrumman Lough
Glasker Rd 11 WWTW	Tributary Upper Bann
Glasker Rd 28-30 WWTW	Tributary Newry River
Glasmullen WWTW	Glenariff River
Glassdrummond WWTW	Tributary Carsons Dam River
Glen Cottages 1-6 WWTW	Tributary Belfast Lough
Glen View WWTW	Tributary Clanrye River
Glen Villas WWTW	Tributary Newry River
Glenabbey WWTW	Tributary Skeoge River
Glenagorland WWTW	Soakaway
Glenanne WWTW	Tributary Cusher River
Glenavy	Glenavy River
Glenavy Rd WWTW	Tributary River Lagan
Glenbush Rd 31 WWTW	Tributary Bush River
Glenedra Park (109-111) WWTW	Owenbeg River
Glenhead Rd WWTW	Tributary Drumnadonnell River
Glenhordial (WTW) WWTW	Killclougher Burn
Glenleary Rd 22 WWTW	Tributary Macosquin River
Glenmakeeran WWTW	Glenmakeeran River
Glenmornan WWTW	Glenmornan River
Glenoe WWTW	Glenoe River
Glenshesk Rd 127 WWTW	The Well Water River
Glenstaghey Rd 11 WWTW	Tributary Ballycastle Bay
Goragh Rd WWTW	Soakaway
Gorran Rd 84 WWTW	Tributary Aghadowey River
Gortaclady WWTW	Tributary Ballinderry River
Gortatray WWTW	Duckingstool River
Gortereghy WWTW	Tributary River Bann
Gortin	Owenkillew River
Gortin (Orritor) WWTW	Tributary Orritor River
Gortin rd 12 WWTW	Carranroe Burn
Gortnacross WWTW	Tributary Gortin River
Gortnagallon Cottages 4 WWTW	Tributary Crumlin River
Gortnaghey	Tributary Wood Burn

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Gortnagola Rd WWTW	Tributary Tall River
Gortnagross Road (38-40) WWTW	Unnamed Watercourse
Gortnaskea Rd 45-47 WWTW	Soakaway
Gortscreagan WWTW	Tributary Faughan River
Gosheden No.1 WWTW	Tributary Faughan River
Gosheden No.2 WWTW	River Faughan
Grange (Taylorstown)	Un-named watercourse
Grange Blundel WWTW	Tributary River Callen
Grangemore WWTW	Tributary Blackwater
Gransha Park (25-27) WWTW	Unnamed Watercourse
Gransha Rd 26-28 WWTW	Soakaway
Greenan WWTW	Lough Brickland
Greenans WWTW	Owencam River
Greencastle	Owenreagh River
Greenhill WWTW	Tributary Aghadowey River
Greenisland (Greenlane)	Belfast Lough
Greenville WWTW	Tributary River Derg
Greyabbey	Strangford Lough
Greysteel (Gortgare)	Lough Foyle
Grove Park WWTW	Glenwhirry River
Grove Rd (21-23) WWTW	Unknown Tributary to Tullinisky Cut
Gulladuff	Tributary Curragh Burn
Hamiltonsbawn	Tributary Ballybay River
Hawthorn Heights WWTW	Leeke Burn
Hazelbank WWTW	River Bann
Hillcrest WWTW	Tributary to Flesk Water
Hillhead Rd 127-131 WWTW	Soakaway
Hillhead Rd WWTW	Tributary River Bann
Hillsborough	Tributary River Lagan
Hillside Rd (7-9) WWTW	Glenullin Water
Hillside Rd 121 WWTW	Soakaway
Hilltown	River Bann
Hilltown Rd WWTW	Soakaway
Hollybank Rd 10 WWTW	Four Mile Burn
Hollybank Rd 54 WWTW	Four Mile Burn
Horse Park 5-7 WWTW	Tributary Lagan
Hunter Bungalows WWTW	Tributary Fairy River
Inishargy Rd 10-12 WWTW	Tributary Irish Sea
Inishargy Rd 2-10 WWTW	Tributary Irish Sea
Inishargy Rd 36-48 WWTW	Tributary Irish Sea
Inishmagh WWTW	Ballygawley Water

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Irvinestown	Tributary Lower Lough Erne
Jackson Crescent (1-6) WWTW	Unknown Tributary of Carson's Dam River
Jackson Crescent (7-8) WWTW	Unknown Tributary of Carson's Dam River
Jackson Crescent 9-10) WWTW	Unknown Tributary of Carson's Dam River
Jenny's Lane WWTW	Tributary of River Lagan
Jerrettspass WWTW	Newry Canal
Jonesborough	Tributary Flurry River
Katesbridge Rd 79 WWTW	Unnamed Watercourse
Katesbridge WWTW	River Bann
Keady (Armagh)	River Callan
Keady (Co Fermanagh) WWTW	Tributary Lough Erne
Kearney Rt WWTW	Irish Sea
Keenaghan 1 WWTW	Soakaway
Keenaghan 2 WWTW	Trib Rock River
Keenaghan WWTW	Fowl Glen Burn
Kesh	Kesh River
Kilbroney Park (1-4) WWTW	River Kilbroney
Kilcarn Rd 7 WWTW	Tributary Blackwater River
Kilclean Road (80-82) WWTW	Un-named stream to Back Burn
Kilcoo	River Bann
Kilcurry Road (30-32) WWTW	Unnamed Watercourse
Kildress Terrace WWTW	Tributary Ballinderry River
Kilgarrett WWTW	Tributary Lough Corby
Kilkeel	Irish Sea
Killaloo WWTW	Unnamed Watercourse
Killaughey Rd 252 WWTW	Tributary Irish Sea
Killea (WTW) WWTW	Liberty Burn
Killeen	Tributary Lough Neagh
Killeen (Newry) WWTW	Tributary Newry River
Killen	Killen Burn
Killeter WWTW	Glencappog Burn
Killinchy	River Blackwater
Killinchy Rd (96-100) WWTW	The Graffan Burn
Killoogue WWTW	Glenlough River
Killough	Irish Sea
Killybaskey WWTW	Tributary Ballymully River
Killycor WWTW	Tributary River Faughan
Killygore WWTW	Clogh River
Killylane (WTW) WWTW	Killylane Burn
Killylane WWTW	Muff River
Killyleagh	Strangford Lough



<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Killymoyle WWTW	Oona Water
Killymuck WWTW	Ballinderry River
Killynesse RD 14-16 WWTW	Tributary Coppies Burn
Killyrammer WWTW	Tributary Breckagh Burn
Killysavan WWTW	Tributary Newry River
Kilmachugh WWTW	Tributary Mowham River
Kilmood WWTW	River Blackwater
Kilmore	Annacloy River
Kilmore (Richhill) WWTW	Tall River
Kilnacart WWTW	Tributary Oona River
Kilrea	Lower Bann
Kilross WWTW	Tributary Moyola
Kilskeery WWTW	Ballinamallard River
Kiltubbrid WWTW	Tributary of Blackwater
Kinallen	Tributary River Lagan
Kinawley	Moher River
Kinnego Cottages WWTW	Tributary Lough Neagh
Kinnyglass 87-89 WWTW	Soakaway
Kinturk WWTW	Lough Neagh
Kircubbin	Strangford Lough
Knock Terrace WWTW	Unnamed Watercourse
Knockanroe WWTW	Tributary Ballinderry River
Knockans WWTW	Tributary River Bann
Knockbrack WWTW	River Faughan
Knockloughrim	Moyola River
Knockmoyle WWTW	Tributary River Strule
Knocknagore WWTW	Tributary River Lagan
Knocknarea Rd WWTW	Unknown Trib of River Lagan
Knocknatavanna WWTW	Glenann River
Knockonny WWTW	Tributary Ballygawley Water
Lack WWTW	Tributary Glendurragh River
Largy Cottage 1 WWTW	Soakaway
Largy WWTW	Tributary River Roe
Larne	Irish Sea
Laurelvale Rd WWTW	Tributary Annagh River
Lawrencetown	River Bann
Leeke Rd WWTW	Leeke Burn
Legacurry WWTW	Ravarnet River
Legahory WWTW	Un-named Trib of Faughan
Legatariff WWTW	Tributary of Lough Beg
Leitrim WWTW	Leitrim River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Lenagh Terrace 2 WWTW	Tributary Fergus Water
Lessans WWTW	Tributary Carsons Dam River
Letterbin WWTW	Unnamed Watercourse
Letterbreen WWTW	Tributary of Arney River
Letterkeen WWTW	Tributary of Arney River
Limavady	River Roe
Limestone No 1 WWTW	Canon Brae
Limestone No 2 WWTW	Canon Brae
Lisacclare WWTW	Tributary Duckingstool River
Lisbane Rd 38-40 WWTW	Tributary Blackstaff River
Lisbarnet Rd St WWTW	River Blackwater
Lisbellaw	Tributary Lough Erne
Lisburn (New Holland)	River Lagan
Liscolman	Tributary Stranocum River
Liscurran Rd WWTW	Tributary Lough Neagh
Lisdoart 1 WWTW	Ballygawley Water
Lisdoart 2 WWTW	Ballygawley Water
Lisdown WWTW	Ballymatrim Water
Lislea Terrace WWTW	Tributary Inver Roe Water
Lislea WWTW	Tributary Forkhill River
Lismoyle WWTW	Tributary Lough Corby
Lisnadill WWTW	Butter Water
Lisnagalt WWTW	Tributary Lower Bann
Lisnagat Rd 34 WWTW	Tributary Tall River
Lisnagat Rd 64 WWTW	Soakaway
Lisnagunogue WWTW	Tributary Feigh Burn
Lisnahall WWTW	Ballinderry River
Lisnakilly WWTW	River Roe
Lisnalea WWTW	Unnamed Watercourse
Lisnamorrow WWTW	Tributary Lough Neagh
Lisnamuck (Coleraine) WWTW	Tributary Aghadowey River
Lisnamuck (M'Felt) WWTW	Tributary Back Burn
Lisnaragh WWTW	Mill Burn
Lisnarrick	Tributary Lower Lough Erne
Lisnaskea	Colebrooke River
Lisnevenagh WWTW	Tributary Mill Burn
Lisnisk WWTW	Tributary Burngushet River
Lisowen WWTW	Tributary Carsons Dam River
Locard Park WWTW	River Bann
Londonderry (Culmore)	Lough Foyle
Longfield (Eglinton) WWTWW	Tributary Foyle

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Longfield (Moorside Villas) WWTW	The Grange Water
Longs Glebe WWTW	Tributary Lower Bann
Lough Bradan (WTW) WWTW	River Blackwater
Lough Fea WWTW	Tributary Ballinderry River
Lough Island Reavy WTW WWTW	Tributary Lough Island Reavy
Lough Macrory	Claggan Burn
Lough Macrory (WTW) WWTW	Tributary Lough Macrory
Lough Rd (29-31) WWTW	Unknown Trib Dorsey River
Loughan Rd WWTW	Tributary Burn Dennet
Loughgall	River Callan
Loughguile	Stony Burn
Loughinisland WWTW	Loughinisland Lake
Loughries	Tributary Strangford Lough
Loup WWTW	Tributary Lough Neagh
Lower Ballinderry	Ballinderry River
Lower Grange Rd 20-26 WWTW	Tributary Ballinderry River
Lower Rashee Road	Unnamed Watercourse
Luney WWTW	Tributary Grange Water
Lurganare	Tributary Newry River
Lurgancahone Rd 1 WWTW	Tributary Clanrye River
Lurgancahone Rd 2 WWTW	Tributary Clanrye River
Lurganville WWTW	Tributary River Lagan
Macfin WWTW	Tributary Lower Bann
Macosquin	Macosquin River
Madden WWTW	Unnamed Watercourse
Magee Terrace WWTW	Tributary Newry River
Maghaberry	River Lagan
Maghera (Down)	Carrigs River
Maghera (L/Derry)	Moyola River
Magheracoltan WWTW	Coolaghy Burn
Magherafelt (Killyneese)	Moyola River
Magherafelt Rd 24-28 WWTW	Tributary Moyola River
Magherahoney WWTW	Tributary Bush River
Magheramason	River Foyle
Magheramore Rd 89 WWTW	Tributary Tow River
Magheramourne WWTW	Larne Lough
Magheratimpany WWTW	Ballynahinch River
Magheraveely WWTW	Tributary River Finn
Magheraville WWTW	River Callan
Maghernahar WWTW	Tributary Inver Burn
Maghery	River Blackwater

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Maglion Terrace WWTW	Tributary Upper Bann
Main Rd 103 WWTW	Irish Sea
Managher WWTW	Tributary Macosquin River
Manor House WWTW	Tributary River Callen
Manse Rd (Crumlin) WWTW	Tributary Crumlin River
Manse RD (Moneyslane) WWTW	Tributary Drumadonnell River
Markethill	River Cusher
Marlaco Rd WWTW	Marlaco Lake
Martinstown	Clogh River
Mayboy WWTW	Aghadowey River
Mayoghill WWTW	Mayoghill River
Maytown Rd WWTW	Unnamed Watercourse
McCandless Terrace WWTW	Tributary River Lagan
McCleary WWTW	Soakaway
McKinley Park WWTW	Dorsy River
McNally Park (1-6) WWTW	River Derg
Meigh	Flurry River
Middle Braniel Rd 80 WWTW	Tributary Belfast Lough
Middletown	Corr River
Milltown (Artigarvan) WWTW	Tributary Glenmornan River
Milltown (Burndennet) WWTW	Burn Dennet
Milltown (M'Felt) WWTW	Tributary Milltown Burn
Milltown Aghory WWTW	Ballybay River
Milltown Maghery WWTW	Lough Neagh
Minterburn Rd (155-177) WWTW	Unnamed Watercourse
Moira	River Lagan
Monea	Tributary Silees River
Moneybrannon Rd WWTW	Tributary Macosquin River
Moneycanon WWTW	Altinaghree Burn
Moneycarrie WWTW	Tributary Agivey River
Moneydig WWTW	Tributary Lower Bann
Moneyglass WWTW	Tributary River Bann
Moneymore	Ballymully River
Moneyneary	Douglas River
Moneynick Rd 118 WWTW	Tributary Ivy Burn
Moneynick Rd 94 WWTW	Tributary Ivy Burn
Moneyreagh	Ballystockart River
Moneyreagh Rd 139 WWTW	Tributary Comber River
Moneyreagh RD 51 WWTW	Tributary Comber River
Moneyscalp WWTW	Tributary Burren River
Moneyslane	Drumadonnell River

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Monmurray WWTW	Tributary Colebrook River
Monteith WWTW	Unnamed Watercourse
Moorfield WWTW	Tributary Lower Lough Erne
Moorfields	Kells Water
Morrows Terrace WWTW	Tributary Annagh River
Moss Rd 36-38 WWTW	Soakaway
Moss Rd 76-78 WWTW	River Blackwater
Moss-Side	Moss-Side Water
Mossvale Terrace WWTW	Tributary River Lagan
Mountain View (Drumintee) WWTW	Tributary Flurry Water
Mountain View (Tullymurry) WWTW	Tributary Clanrye River
Mountcastle WWTW	Tributary Burn Dennet
Mountfield	Drumnakilly Burn
Mounthill WWTW	Tributary Glynn River
Mountjoy (Brockagh Terrace)	Duckingstool River
Mountjoy WWTW	Tributary River Strule
Mountnorris	River Cusher
Movenis Hill 17 WWTW	Tributary Mayoghill River
Movilla Rd 136-140 WWTW	Tributary Strangford Lough
Moy	River Blackwater
Moyagall Rd 115-117 WWTW	Tributary River Bann
Moyarget Rd 178 WWTW	Soakaway
Moygashel	River Blackwater
Mulderg WWTW	Foreglen River
Mullaghbane (Co Armagh) WWTW	Unnamed Watercourse
Mullaghbane (Mullaghbawn)	Forkhill River
Mullaghboy	Irish Sea
Mullaghboy Rd 136-138 WTW WWTW	Soakaway
Mullaghglass (Loughgilly) WWTW	Unnamed Watercourse
Mullaghglass 1 (Sales Corner) WWTW	Tributary River Lagan
Mullaghmore WWTW	Cusher River
Mullahead Rd WWTW	Soakaway
Mullan Rd 35 WWTW	Soakaway
Mullanahoe	Tributary Lough Neagh
Mullans	Loanagher Burn
Mullynabrutland WWTW	Tributary Hollybrook River
Mullyrodden WWTW	Tributary Oona Water
Munie WWTW	Tributary of Glenarm River
Murdocks Lane 1-6 WWTW	Tributary Irish Sea
Myroe WWTW	River Roe
Navery Road WWTW	Tributary River Bush

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
New Rd 37-39 WWTW	Soakaway
Newcastle	Irish Sea
Newcastle Rd (58-66) WWTW	Unnamed Watercourse
Newcastle Rd 18-20 WWTW	Soakaway
Newmills	River Torrent
Newmills Rd 70-72 WWTW	Soakaway
Newry	Newry River
Newry Rd 80-83 WWTW	Soakaway
Newtown Crommelin WWTW	Skerry Water
Newtownbreda	River Lagan
Newtownbutler	Tributary Lough Corby
Newtownhamilton	Tullyvallon River
Newtownstewart	River Strule
Nixons Corner	Tributary Lough Foyle
Noones Vale WWTW	Milltown Burn
North Coast	Atlantic Ocean
Oaklands Villas WWTW	Unnamed Watercourse
Oaklands WWTW	Soakaway
Old Green, Kells WWTW	Kells Water
Old Holywood Rd 190-196 WWTW	Soakaway
Old Mill Road WWTW	Tributary Cusher River
Oldstone Terrace 8 WWTW	Barlyhill River
Oliver Plunkett Rd WWTW	Tributary Cully Water
Omagh	River Strule
O'Neill Terrace WWW	Tributary Creggan River
O'Rahilly Park WWTW	Tributary Forkhill River
Orritor	Gortin Water
Orritor Craigs WWTW	Soakaway
Orritor Rd 182 WWTW	Tributary Gortin Water
Owenbeg WWTW	Owenbeg River
Park (New)	River Faughan
Parsonage Rd WWTW	Tributary River Blackwater
Pharis Rd 15 WWTW	Soakaway
Pinehill Rd 7-9 WWTW	Tributary River Lagan
Plumbridge	Glenelly River
Pomeroy	Tributary Claggan River
Pomeroy Rd 47/49 WWTW	Drum Water
Pomeroy Rd WWTW	Unnamed Watercourse
Portadown Rd, Tandragee 67 WWTW	Tributary River Bann
Portaferry	Portaferry Stream
Portaferry Road (96-100) WWTW	Strangford Lough

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Portavogie	Irish Sea
Portglenone	River Bann
Poyntzpass	Newry Canal
Priestland Rd (51-53) WWTW	Tributary Bush river
Priestland WWTW	Tributary Bush river
Procklis WWTW	Tributary of River Main
Quarter Rd 15-19 WWTW	Tributary Irish Sea
Racavan WWTW	Cashel Burn
Railway View 3 WWTW	Soakaway
Rasharkin	River Bann
Rathfriland	Tributary Clanrye River
Rathfriland Rd (Dromara) WWTW	Tributary River Lagan
Rathlin Retention Tank WWTW	Irish Sea
Ravara Rd 9-19 WWTW	Tributary River Blackwater
Ravarnet	Ravarnet River
Reaskmore Rd WWTW	Unnamed Watercourse
Redford	River Rhone
Reghaghy Rd (64-66) WWTW	Tributary River Blackwater
Rickamore Rd 36-38 WWTW	Tributary Six Mile Water
Ringneil Rd (Comber) 1-5 WWTW	Tributary Strangford Lough
Ringneill	River Blackwater
Ringsend Rd WWTW	Tributary Aghadowey River
Ringsend WWTW	Aghadowey River
Ritchies Villas WWTW	Tributary Lough Neagh
Riverside 16-20 WWTW	River Bann
Robinsonstown	Derrycaw Burn
Rock Cottages WWTW	River Bann
Rock WWTW	Tributary Rock River
Rocktown WWTW	Tributary Lough Neagh
Rosevale WWTW	Tributary Upper Bann
Rosnashane WWTW	Quaw Burn
Rosscolban WWTW	Soakaway
Rosscor WWTW	Soakaway
Rosslea	River Finn
Roughfort	Ballymartin Water
Rousky WWTW	Tributary Owenreagh River
Saintfield	Tributary Strangford Lough
Savalmore Cottage WWTW	Unnamed Watercourse
Scotstown Road (7-9) WWTW	Unnamed Watercourse
Scribbagh WWTW	Unnamed Watercourse
Seacon WWTW	Unnamed Watercourse

<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Seagahan WWTW	Butter Water
Seahill	Belfast Lough
Sentry Box Rd 20-22 WWTW	Tributary River Bann
Seskinore	Quiggery Water
Seven Mile St 177 WWTW	Soakaway
Seven Mile St 78 WWTW	Soakaway
Seven Mile St 82 WWTW	Soakaway
Seven Mile St 86 WWTW	Soakaway
Shaneoguestown Rd 38 WWTW	Soakaway
Sheerigrim WWTW	Tributary Ballinderry River
Shinn Rd WWTW	Tributary Clanrye River
Shinny Rd 20-22 WWTW	Tributary Cam Burn
Shore Rd, Castleview WWTW	Tributary Lough Neagh
Silent Valley WTW Septic Tank No 1 WWTW	Kilkeel River
Silent Valley WTW Septic Tank No 2 WWTW	Kilkeel River
Silent Valley WTW Septic Tank No 3 WWTW	Kilkeel River
Silent Valley WTW Septic Tank No 4 WWTW	Kilkeel River
Silent Valley WTW Septic Tank No 5 WWTW	Kilkeel River
Silverbridge WWTW	Cully River
Silverford Rd WWTW	Unnamed Watercourse
Sion Mills	Mourne River
Skernahegney WWTW	Tributary Rock River
Skerry View WWTW	Braid River
Slaght WWTW	River Main
Soldierstown WWTW	Disused Canal
Spamount	River Derg
Springfield WWTW	Tributary Sillees River
Springhill Rd WWTW	Ballmully River
Springwell Crescent (1-6) WWTW	Unnamed Watercourse
St Annes Terrace WWTW	Tributary Muddock River
St Brigids Villas WWTW	Tributary Cully Water
St James (Hillsborough) WWTW	Tributary River Lagan
St Johns Terrace WWTW	Tributary Muddock River
St Marys Terrace WWTW	Unnamed Watercourse
St Patricks Villas WWTW	Tributary Upper Bann
Staffordstown Rd WWTW	Tributary Lough Neagh
Stangmore WWTW	Tributary River Rhone
Station Rd 155-157 WWTW	Stream to Carrickmannan Lough
Stewartstown	Ballinderry River
Stoneyford	Stoneyford River
Strabane	River Foyle



<b>Location of Treatment Facility</b>	<b>Receiving Waterway</b>
Straid (Ballymena) WWTW	Parish Burn
Straid Rd 111 WWTW	Tributary Bush River
Straid Rd 12 WWTW	Tributary Tow River
Stranagard WWTW	Grange Water
Strangford	Strangford Lough
Stranocum	River Bush
Swatragh	Knockoneill River
Tamlaght	Tributary Upper Lough Erne
Tamlaght O'Crilly WWTW	Tributary Clady River
Tamnadeese Rd 7-9 WWTW	Soakaway
Tamnaherin	Muff Glen River
Tamnamore	River Blackwater
Tandragee	River Cusher
Tartaraghan WWTW	Stream to Lough Neagh
Tattysallagh WWTW	Unnamed Watercourse
Teemore WWTW	Tributary Woodford River
Teeraw WWTW	Tributary River Callan
Tempo	Tempo River
The Demesne WWTW	Unnamed Watercourse
The Skeagh WWTW	Soakaway
Thorney Glen WWTW	Tributary Stangford Lough
Three Sisters WWTW	Irish Sea
Tibaran Cottages WWTW	Unnamed Watercourse
Tirquin WWTW	Tributary Camowen River
Toberkeigh WWTW	Tributary River Bush
Tobermore	Moyola River
Tobermore Rd 144-146 WWTW	Soakaway
Torr Head WWTW	Tributary North Atlantic
Trench Road (667-70) WWTW	Burngibbagh
Trillick	Tributary Ballinamallard River
Tromra WWTW	Tributary Glendun River
Tubber Rd 10-16 WWTW	Tributary Stangford Lough
Tullaghmore Rd 41-43 WWTW	Roghan Lough
Tully Road	Irish Sea
Tully WWTW	Tributary Lower Lough Erne
Tullyard (Donemana) WWTW	Burn Dennet
Tullygrawley WWTW	Tributary River Maine
Tullyhubbert Rd 75 WWTW	Tributary Comber River
Tullyleek WWTW	Tributary Torrent River
Tullymore Rd (43-45) WWTW	Tributary Artoges River
Tullynakill Rd	Strangford Lough

Location of Treatment Facility	Receiving Waterway
Tullyreavy WWTW	Tributary Drum River
Tullyveagh Rd 2-4 WWTW	Tributary Ballinderry River
Tulnacross Rd 44-46 WWTW	Tributary Ballinderry River
Tummery WWTW	Soakaway
Tureagh WWTW	Tributary River Bush
Turraloskin WWTW	Tributary Tow River
Tursallagh WWTW	Tributary Glassnagh Burn
Tynan WWTW	Tynan River
Upper Ballinderry	Ballinderry River
Upper Ballygelagh Rd 12-18 WWTW	Tributary Stangford Lough
Upper Cranlome Rd WWTW	Tributary River Blackwater
Upper Malone Rd WWTW	River Lagan
Upperlands	Clady River
Victoria Bridge	Mourne River
Victoria Road (277-279) WWTW	Unnamed Watercourse
Waringsford WWTW	Tributary River Lagan
Waringstown	River Lagan
Warrenpoint	Carlingford Lough
Waterfoot Rd WWTW	Moyola River
Whin Road (21-23) WWTW	Burngibbagh
Whitechurch Rd 45 WWTW	Irish Sea
Whitegate Rd WWTW	Tributary Upper Bann
Whitehead	Outer Belfast Lough
Whitehouse	Belfast Lough
Whitelough Rd (29-31) WWTW	Unnamed Watercourse
Whitepark Rd 211 WWTW	Tributary Feigh Burn
Whitepark Rd 56 WWTW	Tributary to Atlantic
Whitepark Rd 71 WWTW	Soakaway
Windmill Rd 24-32 WWTW	Tributary Irish Sea
Windmill Rd 71-73 WWTW	Tributary Irish Sea
Woaghternerry WWTW	Soakaway
Woburn Rd 63-69 WWTW	Ballyrolly Burn

### Wastewater Treatment: Sewage Disposal

**Mr Swann** asked the Minister for Regional Development to detail the disposal options available for treated sewage waste as an alternative to discharge into local water courses.

**(AQW 24123/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that it continually assesses alternative options to the discharge of treated effluent into local watercourses. It is currently implementing a pilot project which involves using treated effluent for willows irrigation. However, the assessment indicates that owing to the large daily volume of treated effluent requiring discharge, this option would not be a technically feasible alternative to all watercourse discharges.

NIW proposes to trial a further treatment technology known as Integrated Constructed Wetlands which utilises containment and treatment to reduce discharge volumes to receiving watercourses. It must however be recognised that a prerequisite for the delivery of most alternative disposal options is the acquisition of significant areas of land. While NIW will continue to

implement any practicable alternative options, there will be many locations where this is not technically feasible and there will continue to be a reliance on conventional treatment and discharge methods.

### Flags: Ship Protocol

**Mr Campbell** asked the Minister for Regional Development who is responsible for the protocols on flags flown on ships, when naval ships from other nations are docked in ports in connection with events such as the Columille Festival 2013.

(AQW 24138/11-15)

**Mr Kennedy:** The Royal Navy are able to offer advice on the flag protocols for naval ships from other nations when berthed in UK ports.

### Railways: Larne Line

**Mr Ross** asked the Minister for Regional Development whether Northern Ireland Railways plans to introduce six-car sets on the Larne Line, in light of the increasing passenger numbers.

(AQW 24163/11-15)

**Mr Kennedy:** I can advise you that following the implementation of new trains program, and the replacement of older trains with new, NI Railways now have all 20 new Class 4000 trains available for service throughout the rail network as well as Class 3000. This has resulted in the removal of older trains from the Larne Line which is now serviced by Class 3000 and Class 400 trains.

In addition this has also permitted the introduction of additional services on both the Belfast-Larne line and the Belfast-Coleraine line. NI Railways now have sufficient capacity to permit a small number of scheduled trains to be operated as 6-car formation in place of 3-car formation.

Currently 6-car formation trains are being regularly operated on selected services on the network, i.e. Portadown-Belfast and Coleraine-Belfast line where passenger numbers are highest. Passenger numbers on Larne line services, whilst clearly increasing, are not yet as high. During the months of June, July and August Translink anticipate a reduction in commuter numbers as schools/colleges go into recess. Translink advise that they will review passenger loadings on the Larne line again in September/October and, subject to passenger demand, could anticipate 6-car operation on selected services from that time.

### Railways: Six-car Sets

**Mr Ross** asked the Minister for Regional Development whether the manning of six-car sets requires Northern Ireland Railways to ensure that two conductors are present on the train.

(AQW 24164/11-15)

**Mr Kennedy:** I can advise you that with respect to the operation of 6-car trains, in the interest of both customer care and revenue protection, Northern Ireland Railway prefers to operate with two members of staff. One member of staff is the designated Guard - with prime responsibility for safe train dispatch etc., while the second person provides customer service functions, e.g. issuing and checking of tickets, dealing with customer queries.

### Roads: Downpatrick

**Mr Hazzard** asked the Minister for Regional Development, in relation to correspondence DRD/INV/128/2013, (i) for an update on the progress of the planned infrastructural improvements; and (ii) when improvements will be completed.

(AQW 24167/11-15)

**Mr Kennedy:** As I advised in my letter of 9 May 2013, my Department is planning a number of road improvements in Downpatrick, including:

- Collins Corner - junction improvements;
- Fountain Street - road widening and traffic calming scheme;
- Irish Street to St Patrick's Avenue - new link road; and
- Market Street/Irish Street/St Patrick's Avenue - one-way traffic system.

With regard to the Collins Corner scheme, this is progressing well, with design work near completion. It is hoped this junction improvement scheme can be delivered this financial year but remains subject to the successful acquisition of necessary lands.

The Fountain Street proposal is also planned for this financial year but is subject to the successful outcome of the necessary statutory processes, which will include the successful acquisition of necessary lands, the agreement of local residents and other stakeholders.

In the medium term, my Department is considering providing a new link road following the re-location of the PSNI station in Irish Street. In addition, a full or partial one-way system may be introduced along with this proposal.

In the longer term, there is also an Eastern By-pass proposal identified in the Ards and Down Area Plan. The Plan envisages this bypass will be provided through developer contributions.

### Street Lighting: South Antrim

**Mr Clarke** asked the Minister for Regional Development, pursuant to AQW 23487/11-15, how much has been spent on electricity for street lighting in South Antrim, in each of the last five years.

**(AQW 24168/11-15)**

**Mr Kennedy:** My Department does not hold such information on a constituency basis.

### Street Lighting: South Antrim

**Mr Clarke** asked the Minister for Regional Development, pursuant to AQW 23486/11-15, how much has been spent on providing and maintaining street lighting in South Antrim, in each of the last five years.

**(AQW 24169/11-15)**

**Mr Kennedy:** My Department does not hold such information on a constituency basis.

### Grass Cutting: South Antrim

**Mr Clarke** asked the Minister for Regional Development to detail the budget allocated for grass cutting in the South Antrim area, in each of the last five years.

**(AQW 24170/11-15)**

**Mr Kennedy:** My Department does not maintain an analysis of expenditure on grass cutting in the format requested.

### Footpaths: Rasharkin

**Mr McKay** asked the Minister for Regional Development at what stage of consideration are proposals for footpaths between (i) Finvoy and Rasharkin; and (ii) Craigs Road to Dreen Road, Rasharkin.

**(AQW 24183/11-15)**

**Mr Kennedy:** Both of these proposals remain on a list of similar schemes in the Ballymoney Borough Council area, which are being developed in accordance with current policy and procedure.

Only when each proposal has gained approval through the various stages of the development process can a scheme be prioritised within a future year's works programme. Delivery will depend on a proposal's priority when compared to other competing schemes, the availability of funding and a number of other key issues, such as land acquisition.

### Parking: Compliance

**Mr Girvan** asked the Minister for Regional Development, pursuant to AQW 23459/11-15, how many Traffic Attendants are working in (i) Toome; (ii) Templepatrick; and (iii) Doagh, and if no Attendants are working in an area, how is compliance with parking regulations monitored.

**(AQW 24194/11-15)**

**Mr Kennedy:** I can advise Traffic Attendants do not patrol Doagh, Toome and Templepatrick on a regular basis due to low levels of previously-recorded contraventions. However, mobile patrols can be deployed to such locations as and when it is considered necessary.

My Department has to prioritise its limited Traffic Attendant resource so it can provide an effective and balanced enforcement service. Although it is not possible to monitor and patrol every restriction, we do respond where we receive complaints or requests for enforcement where illegal parking is causing a traffic problem.

Such requests for enforcement come from various sources, including individuals, town traders, public representatives and from local traffic engineers who have on-site knowledge of the area.

Templepatrick was visited in May and June of this year, following such a request, but no Penalty Charge Notices were issued.

If you wish to make a request for greater attendance, it would be considered.

### Parking: Restrictions in Coalisland

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 23622/11-15, to detail why there are limited parking restrictions in Coalisland; and if he intends to review this, particularly in relation to safety.

**(AQW 24197/11-15)**

**Mr Kennedy:** Parking restrictions are provided to regulate where motorists can park to ensure the safe and free flow of traffic in our towns and cities. Through limited waiting parking restrictions, they can also provide a turnover of on-street parking that facilitates an increased number of short-duration shopping or business visits.

Previous proposals by officials in my Department to provide additional waiting restrictions in Coalisland, which were presented to the town's Regeneration Partnership several years ago, received no support from the business community and consequently did not proceed at that time.

I am not currently aware of any road safety issues arising from the absence of waiting restrictions in the area. I have asked officials to undertake a review of the need for waiting restrictions and to consult again with the community in Coalisland. It is anticipated this review will be undertaken and completed in early September 2013.

### Roads: Unadopted in Lagan Valley

**Mr Craig** asked the Minister for Regional Development how many roads in the Lagan Valley constituency have not yet been adopted because of issues involving Northern Ireland Water; and what plans he, or Northern Ireland Water, has in place to rectify this.

**(AQW 24208/11-15)**

**Mr Kennedy:** There are 49 developments in the Lagan Valley constituency where the roads remain unadopted due to water and sewerage issues. NI Water is working with developers and Roads Service to bring these drainage systems to an adoptable standard.

### Sewage Incinerator

**Mr Swann** asked the Minister for Regional Development to detail the sewage sludge disposal outlets used by Northern Ireland Water.

**(AQW 24209/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that it has in place a single contract for the disposal of all sludges generated from sewage processes in Northern Ireland. The contract provides for the design, build, finance and operation of sewage sludge incinerators located at Duncrue Street, Belfast over the period March 2010 to March 2032.

The Contractor completed the construction of a £40 million sewage incinerator, adjacent to the existing NIW incinerator at Duncrue Street in Belfast, in 2010 and took over operation of both from March that year. The combined assets have a treatment design capacity in excess of 45,000 tonnes dry solid sludge per annum. The Contractor is not constrained to incineration for the disposal of sewage sludge and has alternative routes for recycling to agriculture and land restoration outlets across Northern Ireland and Great Britain whenever incineration is not available.

During the period April 2011 to March 2012 the contractor incinerated 26,765 tonnes dry solid sludge and disposed of 11,482 tonnes dry solids to a combination of agricultural land, willow coppice and land reclamation sites across the UK. However, all 37,230 tonnes of dry solid sewage sludge exported from sewage treatment works across Northern Ireland over the past 12 months was incinerated.

### Wastewater Treatment: Solid Material

**Mr Swann** asked the Minister for Regional Development to detail the level of suspended solid material which may be discharged into fresh water river outlets from waste water treatment facilities in accordance with EU Directives.

**(AQW 24210/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that consents for discharges from wastewater treatment works to watercourses are issued by the Northern Ireland Environment Agency in order to protect the receiving watercourse.

Wastewater treatment works serving a population equivalent greater than 250 and discharging to an inland waterway have a numeric quality standard for suspended solids limited within the consent conditions. While all small treatment works serving a population equivalent of less than 250 (approximately 1.3% of the total population served) have a requirement to provide secondary treatment, there is no quality standard set for these small rural works.

### Parking: Enforcement in Coalisland

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 23624/11-15, to detail the (i) complaints; and (ii) requests for enforcement in Coalisland, in each of the last three years; and the subsequent outcomes.

**(AQW 24278/11-15)**

**Mr Kennedy:** I can advise the Member that my Department has not received any complaints or requests for enforcement in Coalisland in the last three years.

My Department has to prioritise its limited Traffic Attendant resource so that it can provide an effective and balanced enforcement service. Although it is not possible to monitor and patrol every restriction, we do respond when complaints or requests for enforcement are received.

These enforcement requests can come from various sources, including individuals, town traders, public representatives and from local traffic engineers who have on site knowledge of the area.

There are currently very few parking restrictions to be enforced in Coalisland.

## Traffic Signage

**Mr P Ramsey** asked the Minister for Regional Development what consideration his Department has given, or will give, to the erection of traffic signage under The Road Traffic Regulation (NI) Order 1997 Article 28 paragraph 2 in relation to conservation areas.

**(AQW 24306/11-15)**

**Mr Kennedy:** Like any urban area, most signs found within a conservation area are regulatory signs which indicate where legislation applies. These will include signs for parking and no entry, etc. Depending on the location of the conservation area, it may also contain direction signs and, occasionally, warning signs. All signs will comply with the appropriate regulations and are provided in adherence with the relevant design guidance.

## Legislation: DRD

**Mr Weir** asked the Minister for Regional Development to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24310/11-15)**

**Mr Kennedy:** I have detailed below the current legislation my Department plans to bring forward to the Assembly before the end of the current term:

- Road Races (Amendment) Bill;
- Roads Bill;
- Water Bill; and
- The General Harbours Bill.

## Magherafelt Bypass

**Mr McGlone** asked the Minister for Regional Development what measures are being taken to prioritise the commencement of the Magherafelt Bypass.

**(AQW 24312/11-15)**

**Mr Kennedy:** As a result of the Executive's decision on the A5 dual carriageway project, my Department received specific funding for the scheme. Following the recent Court ruling on the scheme, I wrote to the Finance Minister on 9 May 2013, to declare a reduced budget requirement in relation to the 2013/14 financial year.

In parallel with this, I highlighted alternative areas of spend in my Department to which this money could be reallocated, all of which would provide support to the construction sector and the local economy at this most difficult time.

Looking further ahead, there may be knock on implications for 2014-15, and thus, I have provided options to the Finance Minister for other major road schemes. Magherafelt Bypass is one of those schemes.

I await Executive consideration of this issue.

## Safer Routes to Schools: East Londonderry.

**Mr Campbell** asked the Minister for Regional Development what measures have been put in place to promote the Safer Routes to Schools initiative for schools in East Londonderry.

**(AQO 4363/11-15)**

**Mr Kennedy:** My Department has put in place a significant number of measures over the last few years to promote this initiative in East Londonderry. In partnership with the Department of Education, the initiative aims to tackle the 'school run' by encouraging young people to walk, cycle and use public transport for their journey to and from school.

The types of measures that have been introduced at these schools include:

- new school or patrol signs with existing triangle and school plate including four amber flashing lights (operational at agreed times with each school);
- red coloured surfacing;
- 'School' or 'Patrol' road markings used in conjunction with red surfacing;
- 'School Keep Clear' road markings and yellow zigzag lines;
- the extension to lay-bys, where traffic management issues existed; and
- a pilot 20mph legally enforceable speed limit was introduced on Mussenden Road, at those times of the day when pupils are going to or being collected from the school.

The schools where measures have been introduced include:

- St Columba's Primary School, Ballerin;
- St Columba's Primary School, Kilrea;
- Ballytober Primary School, Coleraine;
- Carnalridge Primary School, Coleraine;
- Damhead Primary School, Coleraine;
- St Paul's College, Kilrea;
- Central Primary School, Limavady;
- St Patrick's Primary School, Portrush;
- DH Christie Memorial Primary School, Coleraine;
- St Anthony's Primary School, Limavady;

- Bushmills Primary School;
- Kilrea Primary School;
- Ballysally Primary School, Coleraine;
- Cullycapple Primary School, Garvagh;
- Culcrow Primary School, Aghadowey;
- Hezlett Primary School, Articlave; and
- Irish Society Primary School, Coleraine.

The schools listed also have access to all Travelwise NI Schools resources, to help embed sustainable transport into all aspects of school life.

In addition, a number of other schools have benefited from various traffic management and traffic calming schemes that were carried out in close proximity to them. These include:

- a 'Toucan' crossing was introduced at the pedestrian crossing lights on Scroggy Road in Limavady in conjunction with the pedestrian/cycle path that runs adjacent to Central Primary School ;
- the extension of the pedestrian/cycle path at Edenmore Road, Limavady, which feeds a number of schools including Central Primary School;
- a shared use pedestrian/cycle path in Greysteel, which connects with Faughanvale Primary School;
- a bus lay-by was introduced on Connel Street, Limavady in close proximity to the High School;
- a 40mph speed limit was introduced on Drumsurn Road, along which St Matthew's Primary School is situated;
- a 50mph speed limit was recently introduced on the A29 Agivey Road along which Culcrow Primary School is situated; and
- a 30mph speed limit was recently introduced on the Glen Road in Glenullin, along which St Patricks & St Josephs Federated Primary School is situated.

### **Translink: Concessionary Fares**

**Mr Weir** asked the Minister for Regional Development what changes to concessionary fares are planned by Translink. (AQW 24371/11-15)

**Mr Kennedy:** Translink administer the Northern Ireland Concessionary Fares Scheme on behalf of my Department. Any changes to the scheme are determined by my Department and subsequently applied by Translink.

I can confirm that there are no planned policy changes to the scheme at this time.

### **Ulsterbus: Discounted Fares for Mature Students**

**Mr Weir** asked the Minister for Regional Development what changes to discounted fares for mature students are planned by Ulsterbus. (AQW 24374/11-15)

**Mr Kennedy:** Discounted fares is currently an operational matter for Translink. It has advised that discounts are available to mature students travelling on Ulsterbus through the Smartlink product. Translink have no plans to alter this.

The Department for Employment and Learning (DEL) currently provides a range of financial assistance to those students, including mature students who are most in need and who might otherwise be unable to undertake a course of study at a further education college or higher education institution in Northern Ireland. Further details about this can be obtained from the Department of Education and Learning website, [www.delni.gov.uk](http://www.delni.gov.uk)

### **June Monitoring Round: DRD Bids**

**Mr Swann** asked the Minister for Regional Development to provide details of any proposed June monitoring round bids that have been rejected by the Committee for Regional Development. (AQW 24401/11-15)

**Mr Kennedy:** My officials presented DRD's June Monitoring proposals to the Committee for Regional Development on 29 May 2013. Following this presentation the Committee responded that its members were supportive of all the bids with the exception of the £12 million capital bid for the purchase of new buses on which they required additional information. Further information has now been provided to the Committee.

I am of the view that £12 million bid for buses fully supports the strategic transportation investment priorities of my Department as set out in relevant programme and policy documents including the Regional Transport Strategy and the Regional Development Strategy. As such my Department proceeded to submit the bid for buses as part of our June Monitoring return to DFP on 6 June.

### **Parking Tickets: County Tyrone**

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 21277/11-15 and AQW 21613/11-15, from the figures stated, to provide a breakdown of how many tickets were (i) paid; (ii) successfully appealed; and (iii) unpaid. (AQW 24446/11-15)

**Mr Kennedy:** It is not possible to provide the requested details for the 12 months to the end of February 2013, as it takes up to six months for the full statutory appeals process, including challenges and appeals, to run its course. However, details of the number of Penalty Charge Notices (PCNs) for the 12 months to the end of December 2012, as of 25 June 2013, are provided in the table below:

Town	PCNs Issued	PCNs Paid	Outstanding PCNs
Aughnacloy	9	6	2
Fivemiletown	55	46	4
Coalisland	0	0	0
Donaghmore	0	0	0
Dungannon	2,168	1,739	183
Strabane	2,086	1,455	377
Cookstown	1,588	1,363	85
Omagh	4,249	3,339	370

Figures relating to PCN challenges are not compiled on a town basis, however, of the 112,707 PCNs issued in Northern Ireland in 2012, some 15% of all PCNs were challenged and 54% of challenges were successful. However, a successful challenge does not mean that the PCN was issued in error or incorrectly. The most common reasons for successful challenges are the production of a Blue Badge or Pay and Display ticket retrospectively.

### Train Strike

**Mr Dickson** asked the Minister for Regional Development to outline the action that his Department has taken to avert the train strike on 24 June 2013.

**(AQW 24612/11-15)**

**Mr Kennedy:** Industrial Relations issues are the responsibility of Translink as the employer. I can advise you that Translink has kept me informed of developments as this issue has progressed. I was aware that both Translink and the Labour Relations Agency have offered to meet the union representing the employees concerned. I would hope that this offer can be taken up as soon as possible if this has not already happened.

## Department for Social Development

### Asbestos: North Down

**Mr Weir** asked the Minister for Social Development how many Housing Executive properties in North Down are awaiting an asbestos survey.

**(AQW 24049/11-15)**

**Mr McCausland (The Minister for Social Development):** Within the North Down area there are 1,177 Housing Executive properties awaiting an asbestos survey, which will be commissioned prior to the start of planned improvement works.

### Social Security Agency: Appeals

**Mr Weir** asked the Minister for Social Development how many Social Security appeals (i) were lodged; (ii) were successful; and (iii) had the original decision overturned on a point of law, in each of the last three years.

**(AQW 24089/11-15)**

**Mr McCausland:** The information cannot be provided in the format as sought. Any appeal lodged with the Social Security Agency is subject to reconsideration and may not therefore progress to The Appeals Service (TAS).

The Chairman of the Tribunal records whether the decision made on appeal was either more or less advantageous than a previous decision. A more advantageous decision may increase the allowance or direct that a new award be made. A less advantageous decision may reduce the allowance or make no change to the original determination. To identify the reason(s) supporting the Tribunal decision and whether it included a point of law would require a manual review of each case file and could only be obtained at disproportionate cost.

For the purposes of this response, information has been provided for each of the last three financial years. The table below details the number of appeals received by TAS, the number of appeals that have received a final determination/outcome and of those how many were successful.



	Appeals Received	Final Outcome	More Advantageous
2010/11	14,173	11,817	3,598
2011/12	14,694	12,268	4,144
2012/13	22,468	14,295	4,568

### Social Security Agency: Tribunal Appeals

**Mr Weir** asked the Minister for Social Development how the success rate in Social Security tribunal appeals compares with the rest of the UK.

**(AQW 24117/11-15)**

**Mr McCausland:** The Appeals Service (TAS) is responsible for the production of accurate information in relation to Social Security tribunal appeals within Northern Ireland.

In Northern Ireland, the Chairman of the Tribunal records whether the decision made on appeal was either more or less advantageous than a previous decision. A more advantageous decision may increase the allowance or direct that a new award be made. A less advantageous decision may reduce the allowance or make no change to the original determination. In 2012/13 the percentage of more advantageous decisions was 32%.

The arrangements in Great Britain differ in a number of aspects and therefore TAS are not in a position to accurately report a comparative success rate with appeals in the rest of the UK.

### Disability Living Allowance

**Mr Campbell** asked the Minister for Social Development to detail the (i) average number of people in receipt of Disability Living Allowance in 2012, broken down by Parliamentary constituency; and (ii) the percentage of people that would be eligible to apply in each constituency, broken down by age group.

**(AQW 24149/11-15)**

**Mr McCausland:**

- (i) The table below shows the average number of recipients of Disability Living Allowance during 2012, broken down by Parliamentary Constituency.

Parliamentary Constituency	Average DLA recipients in 2012
Belfast East	9,040
Belfast North	15,050
Belfast South	8,560
Belfast West	17,690
East Antrim	7,510
East Londonderry	8,610
Fermanagh and South Tyrone	9,750
Foyle	13,930
Lagan Valley	7,930
Mid Ulster	10,440
Newry and Armagh	12,420
North Antrim	8,700
North Down	6,430
South Antrim	8,270
South Down	11,300
Strangford	7,710
Upper Bann	13,010
West Tyrone	13,070
Unknown	810
Total	190,230

- (ii) Eligibility to apply for Disability Living Allowance is open to the whole population aged below 65 years old. People over 65 are eligible to apply for Attendance Allowance. The table below shows the number and percentage of the population in each Parliamentary Constituency as at 2011, broken down by those aged under 16 and those aged 16 to 64 years old.

Parliamentary Constituency	Total Population at 2011	Persons: 0-15 years	Persons: 16-64 years	Persons: 0-15 years (% of all persons)	Persons: 16-64 years (% of all persons)
Northern Ireland	1810863	379323	1167820	20.95	64.49
Belfast East	92221	17080	59117	18.52	64.10
Belfast North	102531	20979	65113	20.46	63.51
Belfast South	111402	17678	78663	15.87	70.61
Belfast West	93986	21628	60579	23.01	64.46
East Antrim	90067	17710	58084	19.66	64.49
East Londonderry	99673	20483	64243	20.55	64.45
Fermanagh and South Tyrone	102553	22316	65740	21.76	64.10
Foyle	100807	22424	66354	22.24	65.82
Lagan Valley	101710	20915	64740	20.56	63.65
Mid Ulster	99155	23081	63788	23.28	64.33
Newry and Armagh	112401	25524	71955	22.71	64.02
North Antrim	108207	22070	68561	20.40	63.36
North Down	89498	16460	56336	18.39	62.95
South Antrim	99238	21908	63907	22.08	64.40
South Down	108835	24884	69235	22.86	63.61
Strangford	89370	17732	57016	19.84	63.80
Upper Bann	118010	25961	75982	22.00	64.39
West Tyrone	91199	20490	58407	22.47	64.04

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### Asbestos: Housing Executive Properties

**Mr Clarke** asked the Minister for Social Development (i) how many Housing Executive properties have asbestos; (ii) how many Housing Executive properties are awaiting an asbestos survey; and (iii) when requested, how long it takes before an asbestos survey is undertaken.

**(AQW 24180/11-15)**

**Mr McCausland:** The Housing Executive has completed surveys on 76,458 of their properties and of those surveyed low grade asbestos containing materials have been located in 58,544. Materials identified are generally non licensed low risk, such as floor tiles below floor covering, acoustic sink pads etc, and do not pose a serious risk to people if left undisturbed. There are approximately 15,000 properties still to be surveyed, of which 8,000 are currently ongoing. The timescales for completing an asbestos survey depends on the analysis of samples and the urgency with which the information is required. The consultants employed to complete these surveys are notified of the start date and date of completion for each order issued.

### Housing Executive: Political Donors

**Mr Allister** asked the Minister for Social Development whether major contractors to the Northern Ireland Housing Executive are required to declare if they are donors, or otherwise connected, to a political party; and what declarations have been made to date.

**(AQW 24244/11-15)**

**Mr McCausland:** The Housing Executive has advised that their major contractors are not required to declare if they are donors or otherwise connected to a political party.

### **Bins: Housing Executive/Housing Association Properties**

**Mr Swann** asked the Minister for Social Development to detail the time a new (i) Housing Executive; and (ii) Housing Association tenant must wait before receiving a bin, broken down by housing management area; and what advice is given to tenants on the disposal of waste where this delay exceeds two weeks.

**(AQW 24270/11-15)**

**Mr McCausland:** The Housing Executive has advised that they provide a new bin during a change of tenancy if necessary. Typically a new bin would be ordered at the change of tenancy inspection and is normally delivered within 15 days. In certain circumstances the Housing Executive's local office may feel that it is prudent to wait for the property to be occupied before ordering a new bin to reduce the risk of theft and again this would take 15 days. The Housing Executive does not provide tenants with advice on waste disposal as this is a matter for local councils.

In relation to Housing Associations, the Northern Ireland Federation of Housing Associations has advised that in general for new build schemes the contractor normally provides the first bin as part of the development contract. Housing Associations endeavour to have the bin in place on the same day that the new tenant takes possession of the property.

In the case of a change of tenancy, where necessary the measured term contractor carrying out the repairs to the property will replace the bin, normally prior to the new tenant taking possession of the property.

However, some housing associations have arrangements in place with Councils to supply bins and again this is normally done to coincide with the tenant taking possession of the property. Where the delay in supplying a new bin exceeds two weeks, housing associations would routinely make temporary arrangements to ensure that tenants' waste is disposed of in a timely and appropriate manner. Expectations of how and when waste is routinely disposed of will usually be set out in the tenants' handbook, which would be discussed at the new tenancy meeting all tenants have with their housing officers.

### **Housing: Together: Building a United Community Strategy**

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 23814/11-15, (i) whether; (ii) by what means; and (iii) when he was consulted on the housing issues relevant to Together: Building a United Community Strategy, prior to its announcement by the First Minister and deputy First Minister.

**(AQW 24313/11-15)**

**Mr McCausland:** I have ongoing and regular discussions with the First Minister and deputy First Minister on all matters pertaining to housing including the proposals for an additional ten new shared housing developments.

### **Keys: Housing Association Properties**

**Mr Weir** asked the Minister for Social Development whether Housing Associations are permitted to hold master keys for tenants' premises; and what requirements or restrictions are placed on the holding of such keys.

**(AQW 24329/11-15)**

**Mr McCausland:** The Northern Ireland Federation of Housing Associations has advised that Housing Associations as individual organisations will each have their own policies and procedures with respect to holding master or replacement keys for their properties. The holding of such keys would normally be for use in the case of emergencies, where properties have been abandoned and / or where there are vulnerable tenants such as those living in sheltered or supported housing. The holding and use of these keys would sometimes be detailed in the tenancy agreement and they would be kept in a secure environment with limited and controlled access to them.

### **Keys: Housing Association Properties**

**Mr Weir** asked the Minister for Social Development whether it is legal for Housing Associations to hold master keys for tenants' premises without the tenants' knowledge and consent.

**(AQW 24330/11-15)**

**Mr McCausland:** The Northern Ireland Federation of Housing Associations advised that there is no legislation addressing whether or not housing associations can hold master or replacement keys for their tenant's homes. The holding of keys varies between housing associations but the circumstances surrounding the holding of keys may be detailed in the tenancy or access agreement. Tenants may be aware that master or replacement keys are held by the housing association and that they may be used in emergencies or controlled conditions.

### **Keys: Housing Association Properties**

**Mr Weir** asked the Minister for Social Development what legal provisions are in place to regulate Housing Associations holding master keys for their tenants' premises.

**(AQW 24331/11-15)**

**Mr McCausland:** Housing Associations are regulated by my Department, who may inspect any business activities undertaken by each Housing Association.

## Social Housing Development Programme: North Belfast

**Mr A Maginness** asked the Minister for Social Development to detail (i) the locations of the 731 houses his Department plans to build in north Belfast; (ii) the projected start and completion dates of these houses; and (iii) which of these properties are new builds and which are re-lets or bringing back into use existing voids.

**(AQW 24343/11-15)**

**Mr McCausland:** The Social Housing Development Programme (SHDP) is subject to regular change and updates are posted weekly on the Housing Executive's website.

There are currently 729 units included in schemes currently under construction within the North Belfast Parliamentary Constituency and schemes programmed to start within the SHDP for the three year period 2013/14 to 2015/16.

Table 1 details the 418 units currently under construction or awaiting the completion of purchase contracts within North Belfast.

Table 2 details the 311 units included in the three year SHDP which are due to start on site in the North Belfast Parliamentary Constituency during the period 2013/14 – 2015/16.

**Table 1 – SHDP for North Belfast (18th June 2013)**

Housing Association	Location	SC	Onsite Year	Completion Year	Work Category
Apex Housing	212 Cliftonville Road, Belfast	10	11/12	13/14	NB
Apex Housing	Tigers Bay Rehabs, Belfast (T)	10	11/12	13/14	NB
Apex Housing	Rush Park, Newtownabbey (T)	17	11/12	13/14	NB
Clanmil	Felden, Newtownabbey (Surplus Site)	97	12/13	15/16	NB
Clanmil	Lower Oldpark Rehabs (T)	26	12/13	14/15	RH
Clanmil	17 Brucevale Park, Belfast	12	12/13	14/15	NB
Clanmil	Gainsborough Infill, Belfast (T)	17	10/11	13/14	NB
Clanmil	Sunningdale Gardens, Belfast (T)	46	10/11	13/14	NB
Flax	North Belfast ESPs, Phase 10A	6	13/14	14/15	ES
Flax	North Belfast ESPs, Phase 10B	6	13/14	14/15	ES
Fold	Former PSNI Site, Torrens Avenue, Belfast	16	12/13	14/15	NB/RH
Harmony Homes	1-39 Leopold Street, Belfast	10	11/12	13/14	NB
Helm Housing	11 Chester Manor, Belfast	1	13/14	14/15	ES
Newington	Parkside URA, Belfast (T)	36	12/13	14/15	NB
Newington	The Glen, Limestone Road, Belfast (T)	32	10/11	13/14	NB/RH
Oaklee	142-144 Clifton Park Avenue, Belfast (T)	6	11/12	13/14	NB
Oaklee	Coulters Site, Antrim Road, Belfast	10	11/12	13/14	NB
Oaklee	North Belfast ESPs	6	11/12	13/14	ES
Oaklee	Throne Retail Apartments, Whitewell Road, Belfast	20	12/13	13/14	OS
Trinity	Queen Victoria Gardens, Belfast (URA) (T)	22	12/13	14/15	NB
Trinity	4-8 Hopefield Avenue, Belfast	12	13/14	14/15	ES
<b>Total</b>		<b>418</b>			

NB = New Build

RI = Re-improvement

RH = Rehabilitation

ES = Existing Satisfactory Purchase

OS = Off-the-shelf purchase

TBC = Housing Association (not yet nominated)

NIHE = Housing Executive transfer site not yet nominated to an association

**Table 2 – SHDP for North Belfast 2013/14 – 2015/16 (18th June 2013)**

Housing Association	Location	Units	Onsite Year	Completion Year	Work Category
Apex/Newington	Upper New Lodge, Phase 1, Belfast (T)	35	13/14	15/16	NB
Apex Housing	Alexandra Park Avenue, Belfast (ALP)	38	13/14	15/16	NB
Apex Housing	PSNI North Queen Street, Belfast	32	13/14	15/16	NB
Apex Housing	Lawther Court, Tigers Bay, Belfast (T)	1	13/14	14/15	NB
Clanmil	56/58 Rosebank Street, Belfast	1	13/14	14/15	RH
Clanmil	50 Salisbury Avenue, Belfast	9	13/14	14/15	NB
Connswater	Ballysillan Avenue, Belfast (T)	14	13/14	15/16	NB
Trinity/ Newington	Parkside URA, Phase 2, Belfast (T)	20	13/14	15/16	NB
Apex PG	Upper New Lodge, Phase 2, Belfast (T)	35	14/15	14/15	NB
NIHE	Torrens Playpark, Belfast (T)	5	14/15	14/15	NB
NIHE	Deerfin Park/Derrycoole Way, Rathcoole (T)	7	14/15	14/15	NB
TBC	Girdwood Site, Belfast	40	14/15	14/15	NB
Newington	208-212 Limestone Road, Phase 5 (T)	3	15/16	16/17	NB
NIHE	Fortwilliam Parade, Belfast (T)	10	15/16	16/17	NB
NIHE	North Belfast Acquisitions (T)	2	15/16	16/17	RI
NIHE	Upper New Lodge Phase 3, Belfast (T)	19	15/16	16/17	NB
NIHE	Deerfin Park/Derrycoole Way, Phase 2 (T)	10	15/16	16/17	NB
TBC	Library Quarter Carparks Ph1	30	15/16	16/17	NB
<b>Total</b>			<b>311</b>		

NB = New Build

RI = Re-improvement

RH = Rehabilitation

ES = Existing Satisfactory Purchase

TBC = Housing Association (not yet nominated)

NIHE = Housing Executive transfer site not yet nominated to an association

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### Double Glazing: Contracts

**Mr Durkan** asked the Minister for Social Development whether any Housing Executive staff involved in the procurement of the double glazing programme were involved in the award of contracts that led to the overspend highlighted in his statement of 10 June 2013.

**(AQW 24349/11-15)**

**Mr McCausland:** The Housing Executive has advised that the staff managing the procurement for the double glazing programme are not the same staff who awarded the Revenue Replacement/External Cyclical Maintenance Framework Contract.

### Turkington Windows: Meetings

**Mr Durkan** asked the Minister for Social Development (i) how many meetings he has had with Turkington Windows in the last twelve months; (ii) which officials accompanied him to these meetings; and (iii) whether he plans to publish the 2006 Housing Executive Board paper on the decision to adopt the fully reversible window hinge.

**(AQW 24350/11-15)**

**Mr McCausland:** I have not had any meetings with Turkington Windows in the last twelve months. In relation to (iii) the Housing Executive has confirmed that no such paper regarding fully reversible window hinges was ever submitted to their Board for approval during 2006.

### **Contractors: Overpayments**

**Mr McKay** asked the Minister for Social Development how the overpayments to contractors named in his June statement were assessed and calculated.

**(AQW 24407/11-15)**

**Mr McCausland:** The amount was estimated on the basis of extrapolation, applying the levels of overcharging identified by an external consultant and the Housing Executive's Central Cost Group (CCG), on the assumption that this level of overcharging may also be present in all the schemes issued to the four contractors. The work was sample based and is considered an estimate and has not been confirmed as the actual level of overpayments. In total, there has been a sampling of 19.8% of all Egan Schemes.

### **Housing Executive: Legal Advice**

**Mr McKay** asked the Minister for Social Development whether he, his Department or the Housing Executive has taken legal advice on the exclusion of the companies named in his Assembly statement from taking on any new Housing Executive contracts.

**(AQW 24409/11-15)**

**Mr McCausland:** My Department and the Housing Executive took legal advice on the exclusion of the companies named in my Assembly statement from taking on any new Housing Executive contracts.

### **Housing Executive: Contractor Legal Action**

**Mr McKay** asked the Minister for Social Development (i) whether the Moore McDonald report commissioned by the Housing Executive was the basis for any legal action taken against contractors; (ii) to list the companies against which any action was taken; and (iii) what were the outcomes of the actions.

**(AQW 24458/11-15)**

**Mr McCausland:** Moore MacDonald was commissioned by the Housing Executive's external solicitors. The basis of the findings in the reports is to seek recovery through a legal process. This legal process is currently underway and the Housing Executive has advised that due to the ongoing legal process, they are not at liberty to name the contractors currently involved but will report on the outcome once it is known.

### **Housing Executive: Response Maintenance Contracts**

**Mr McKay** asked the Minister for Social Development whether people employed for over two years on response maintenance contracts will be entitled to transfer under TUPE to successor companies.

**(AQW 24459/11-15)**

**Mr McCausland:** On the basis of TUPE regulations and subject to required checks employees of a contractor who have been assigned to a particular contract for more than two years would be entitled to transfer.

However, the duration is not the determining factor but rather whether the employees have been assigned to work on a particular contract prior to the contract changing to a new contractor.

### **Delayed Question: AQW 1004/11-15**

**Mr Allister** asked the Minister for Social Development (i) why it took two years to answer AQW 1004/11-15; (ii) when he was first provided with a draft answer; (iii) who took the decision to delay the answer for two years; and (iv) for his assessment of this response time.

**(AQW 24480/11-15)**

**Mr McCausland:** Whilst there has been a regrettable delay in providing a reply to AQW 1004/11-15, I would advise the Member that the question has now been answered.

### **Social Security Payments: Delays**

**Mr Copeland** asked the Minister for Social Development whether there was a delay in the issuing of social security payments on Wednesday 19 June 2013; and if so, to provide an explanation for the delay.

**(AQW 24484/11-15)**

**Mr McCausland:** My Department processed 67,455 social security claimant payments with a crediting date of 19 June 2013. All payments successfully credited on time with financial institutions.

### **Grange Park, Limavady: External Maintenance**

**Mr G Robinson** asked the Minister for Social Development what plans the Housing Executive has to carry out external maintenance at Grange Park, Limavady.

**(AQW 24496/11-15)**

**Mr McCausland:** The Housing Executive has advised that Grange Park, Limavady is programmed within the Hospital Lane external cyclical maintenance scheme comprising 263 dwellings. It is listed as a reserve scheme in 2013/14, however it is anticipated that works will not start until sometime in 2014/15. The start date will depend on the conclusion of the current procurement process.

### **Licensing Laws: Pubs, Clubs and Restaurants**

**Mr Flanagan** asked the Minister for Social Development for an update on the progress of the review of licensing laws for pubs, clubs and restaurants.

**(AQW 24513/11-15)**

**Mr McCausland:** A public consultation on "Proposed changes to the law regulating the sale and supply of alcohol in Northern Ireland" ended on 12 November.

The consultation sought views on a wide range of proposals, including views on proposals for greater flexibility for pubs, clubs and hotels. A large volume of responses were received which highlighted a wide range of strongly held views from a variety of key stakeholders, including the alcohol industry, health bodies and the general public.

I am currently considering a draft report on the outcome of the consultation and I intend seeking the views of the Social Development Committee before deciding the way forward on the proposed reforms.

## **Northern Ireland Assembly Commission**

### **Stormont Grounds: Drainage Works**

**Lord Morrow** asked the Assembly Commission for its assessment of the effectiveness of the drainage works carried out to the grounds of Stormont.

**(AQO 4351/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** The reinstatement of the front lawns of Parliament Buildings was undertaken by DFP's Estate Management Unit who has responsibility for all work on the grounds and carry out work on behalf of the Assembly Commission. Heavy rainfall over recent years, coupled with the use of the grounds for functions and events had taken a heavy toll on the lawns. Some minor additional drains were installed at the west side of the building during the reinstatement work. While minor ponding can still be seen on the lawns following heavy or prolonged periods of rainfall, early indications are that the reinstatement work has been effective.





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# Northern Ireland Assembly

Friday 5 July 2013

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### Peace Building and Conflict Resolution Centre

**Mr Nesbitt** asked the First Minister and deputy First Minister whether they have any plans to put the management of the proposed Peace Building and Reconciliation Centre at the Maze/Long Kesh site out to tender.  
(AQW 23914/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Decisions on the management of the Peace Building and Conflict Resolution Centre remain under consideration.

#### Victims and Survivors Service: Funding Applications

**Mr Hussey** asked the First Minister and deputy First Minister to list the funding applications (i) received; (ii) approved; and (iii) declined by the Victims and Survivors Service which came from (a) security force based groups; and (b) republican groups, since the inception of the Service.  
(AQW 24271/11-15)

**Mr P Robinson and Mr M McGuinness:** The Victims and Survivors Service (VSS) does not hold information regarding groups on the basis of the question asked.

Information on all funded organisations will be published on the VSS website when the assessment process is complete and Final Letters of Offer/notice of unsuccessful applications have been issued.

#### Northern Ireland Memorial Fund: Resource and Budgetary Needs

**Mr Allister** asked the First Minister and deputy First Minister what are the resource and budgetary needs of the Northern Ireland Memorial Fund in 2013/14.  
(AQW 24291/11-15)

**Mr P Robinson and Mr M McGuinness:** The current resource budget allocation to the Northern Ireland Memorial Fund (NIMF) for 2013/14 is £574,000.

#### Historical Abuse Inquiry: Victims

**Mr Allister** asked the First Minister and deputy First Minister whether all the victims who come forward in respect of the Historical Abuse Inquiry will be afforded the opportunity to give evidence to the inquiry in its formal sittings.  
(AQW 24316/11-15)

**Mr P Robinson and Mr M McGuinness:** The Historical Institutional Abuse Inquiry is independent from our Department, therefore this is a matter for the Chair of the Inquiry.

#### Northern Ireland Centre for Trauma and Transformation: Unspent Funding

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 23405/11-15, how the unspent funding awarded to the Northern Ireland Centre for Trauma and Transformation in 2010/11 and 2011/12 was allocated.  
(AQW 24368/11-15)

**Mr P Robinson and Mr M McGuinness:** All unspent funding is managed as part of the monitoring round process and it is therefore not possible to identify specifically how the Northern Ireland Centre for Trauma and Transformation underspend was allocated.

## Ballykelly Army Base

**Mr Campbell** asked the First Minister and deputy First Minister whether any further steps have been taken to actively promote the former Ballykelly Army Base in addition to the section currently earmarked for the Department of Agriculture and Rural Development headquarters.

(AQW 24378/11-15)

**Mr P Robinson and Mr M McGuinness:** We are awaiting the outcome of the Department of Agriculture and Rural Development (DARD) business case on the requirements for its new headquarters, which will affect the amount and location of land available for other uses. However, consideration of alternative uses for the site are continuing in parallel to the DARD business case process and in the interim we are continuing to receive expressions of interest and meet with interested parties. The position will be reviewed when agreement is reached on the portion of the site DARD require.

## Prime Minister of Libya: Meeting

**Mr Allister** asked the First Minister and deputy First Minister what was the purpose and outcome of their meeting on 18 June 2013 with the Prime Minister of Libya.

(AQW 24481/11-15)

**Mr P Robinson and Mr M McGuinness:** Our meeting was to establish relationships with the Libyan Government. Discussions focused on sharing experiences of building a post conflict society during which we discussed a number of opportunities for developing partnership in post conflict reconstruction work.

## Fiscal Powers

**Dr McDonnell** asked the First Minister and deputy First Minister to outline the additional fiscal powers which the economic pact, announced on 14 June 2013, will bring.

(AQO 4423/11-15)

**Mr P Robinson and Mr M McGuinness:** The economic package, 'Building a Prosperous and United Community', was announced on 14 June 2013 and ratified by the Executive on 27 June. The package recognises that the devolution of some further tax powers might have the potential to enable the Executive to respond in a more tailored way to the social and economic challenges the local economy faces. The package recommends that the British Government and Executive examine the potential for devolving specific additional fiscal powers. It is too early to say how the commitment in the Economic Pact to examine the potential for devolving additional fiscal powers will be taken forward. However, it is envisaged at this stage that this work will involve a consideration of the broad range of taxes and duties that might be devolved. This will include consideration of the potential for a corresponding and ongoing increase in the Executive's annual capital borrowing limit, proportionate to any additional revenue raising powers and considering wider issues of affordability. Following this examination, recommendations for further devolution will be put to the Executive and Government Ministers by autumn 2014.

# Department of Agriculture and Rural Development

## Helicopter Service Providers

**Mr Beggs** asked the Minister of Agriculture and Rural Development to detail (i) the helicopter service providers that (a) had available equipment; and (b) offered to assist farmers by providing food drops for stranded animals during the severe weather around Easter; (ii) how many helicopters were offered by each provider; and (iii) how she determined which helicopters to engage.[R]

(AQW 22463/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The severity of the weather conditions at the end of March was unprecedented for the current generation of farmers. It quickly became apparent that we were faced with an immediate and major animal welfare crisis and we had to act without delay. The priority was to identify and deploy resources that could provide an effective solution to distribute fodder to stranded and starving animals in the affected areas as quickly as possible.

Contact with the Ministry of Defence (MOD) confirmed that they had both the response capability and integrated logistics available to commence a fodder relief operation immediately. In addition The Irish Air Corps (IAC) also offered assistance to carry out reconnaissance and fodder drops. Other helicopter providers identified did not have the breadth of capability and resource capacity to provide the level of integrated logistical response needed within the required timescale. In total five helicopters, three from the MOD and two from the IAC were offered and employed in reconnaissance and fodder drop operations.

While the helicopters were very effective in providing immediate relief to inaccessible areas, I also deployed my department's soft track vehicles that had the capability of accessing additional areas where further emergency relief was needed.

## Land Parcel Identification System: Contract

**Mr Beggs** asked the Minister of Agriculture and Rural Development to detail (i) who was awarded the contract to provide farm maps for her Department; (ii) when the contract was approved by her Department; (iii) any sub-contractors who were commissioned; (iv) what assessment was made to determine the need for sub-contractors.[R]

**(AQW 22464/11-15)**

**Mrs O'Neill:** In response to your question I can advise that: -

(i) & (ii) DARD established a partnership with Land & Property Services (LPS), the national mapping authority and part of the Department of Finance & Personnel, to assist DARD with the creation and updating of the mapping and aerial photography data in the Land Parcel Identification System (LPIS). Information held within LPIS, together with other DARD information and aerial photography, is combined and processed by DARD which then produces the individual maps.

The relationship between DARD and LPS was the subject of a Memorandum of Understanding initially, and latterly, a Service Level Agreement.

- (iii) One of the roles for LPS in the project was to align DARD field boundaries to the Ordnance Survey of Northern Ireland mapping and also to improve the mapping positionally to make it compatible with satellite-based measurement devices. The positional improvement part of the work was carried out by two LPS sub-contractors. This contract was awarded in April 2011.
- (iv) Sub-contractors were used to carry out the Positional Improvement work due to the timescales involved, the lack of sufficient numbers of trained technical staff within the NICS and the experience of other national mapping organisations who had carried out similar projects.

## Tree and Hedge-cutting Contracts

**Mr Agnew** asked the Minister of Agriculture and Rural Development how many tree and hedge cutting contracts her Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years.

**(AQW 24389/11-15)**

**Mrs O'Neill:** The following table details the number of tree and hedge cutting contracts awarded between 2010 and 2012.

1 March – 31 August 2010	1 March – 31 August 2011	1 March – 31 August 2012
3	4	6

## European Fishing Fund: Vessel Modernisation

**Mr Hazzard** asked the Minister of Agriculture and Rural Development to outline what current funding opportunities exist for the local fishing fleet to modernise its vessels.

**(AQW 24452/11-15)**

**Mrs O'Neill:** European Fisheries Fund (EFF) funding is available to the local fishing fleet for vessel modernisation under the "Investments onboard fishing vessels and selectivity" measure. The EFF may contribute to the financing of equipment and the modernisation of fishing vessels of five years of age or more. Such investments may concern improvements to safety onboard, working conditions, hygiene, product quality, energy efficiency and selectivity of fishing gear, providing the investments do not increase the ability of the vessels to catch fish.

£2.4m of EFF and National funding has been allocated to this measure which will remain open for applications until the end of 2013. To date over £755k of public funding has been committed to over 80 vessel modernisation projects.

## European Fisheries Fund: Local Funding

**Mr Hazzard** asked the Minister of Agriculture and Rural Development to outline the funding opportunities, for the local fishing industry, available through the European Fisheries Fund.

**(AQW 24453/11-15)**

**Mrs O'Neill:** The European Fisheries Fund (EFF) is intended to promote a fisheries sector that is sustainable and profitable and which supports strong local communities, managed effectively as an integral part of coherent policies for the marine environment.

In the north of Ireland, EFF is targeted at the fishing industry through several measures under three priority areas:

Axis 1 - Adaptation of the community fishing fleet. EFF support under this axis is targeted at the modernisation of fishing vessels and to providing support to the small scale coastal fishing sector. To date, over £785k of public funding has been committed to projects which aim to, for example, improve the safety and working conditions of crews and improve gear selectivity and fuel efficiency. Two measures under this axis "Investments on Board fishing vessels and selectivity" and "Small-scale coastal fishing" are currently open for applications.

Axis 2 – Aquaculture and processing and marketing of fishery and aquaculture products. EFF support under this axis is targeted at improving the profitability and competitiveness of the aquaculture and processing sectors. To date, over £2m of EFF and national funding has been committed to projects aimed at, for example, improving operating efficiency, supporting diversification and adapting facilities to meet changing market demands. Two measures under this axis “Productive investments in aquaculture” and “investments in processing and marketing” are currently open for applications.

Axis 3 – Measures of common interest. EFF support under this axis is targeted at supporting operations with a broader scope than measures normally undertaken by private interests, and which help to meet the objectives of the common fisheries policy. To date, over £7.5m has been committed to collective projects aimed at, for example, improving port infrastructure, promoting safety, upgrading professional skills and promoting partnerships between scientists and operators in the fishing sector. Two measures under this axis “Collective actions” and “Fishing ports, landing sites and shelters” are currently open for applications.

Axis 4 “Sustainable development of fisheries areas”, while aimed at supporting fishing communities, will also provide support for the fishing industry for projects which help to meet the objectives identified in the Local Development Strategy. Axis 4, consistent with the Commission ethos of a “bottom up” approach, will be implemented by the South East Fisheries Local Action Group (SEFLAG) and will open later in 2013.

## Fishing: Local Industry

**Mr Hazzard** asked the Minister of Agriculture and Rural Development what measures her Department has taken in order to protect and enhance the local fishing industry, in the last five years.

**(AQW 24454/11-15)**

**Mrs O'Neill:** Over the last five years my Department has helped to protect and enhance the local fishing industry in a number of ways.

Through the Agri-Food and Biosciences Institute my Department has carried out research into fish stocks around our coast to provide scientific evidence to try to maintain and increase the quotas available to our fleet. Significant investment in camera surveys of Nephrops grounds and acoustic surveys of Irish Sea herring stocks has allowed us to prove that these stocks are being fished sustainably. The additional work on herring will also enable the industry to obtain Marine Stewardship Council accreditation and thereby secure future markets.

Since the implementation of the Cod Recovery Plan from 2008 our prawn fleet's base level of fishing days has been cut by two thirds. However by working closely with the industry on cod conservation measures, such as highly selective gear, my Department has been able to justify to the Commission the allocation of sufficient additional Days at Sea to allow the fleet to take its fishing opportunities. Whilst the adjustments have been difficult at times the alternative is to fish on only a third of the days presently fished or adopt extreme gear that the fleet finds unworkable.

In relation to the inshore sector, my Department has been working with stakeholders to develop a draft Sustainable Development Strategy for Inshore Fisheries which is currently out to consultation. The aim of the strategy is, in partnership with the industry and other stakeholders, to help manage and develop the inshore sector in a sustainable way and place it in a position to be able to take up future opportunities as they arise.

My Department has also provided direct financial assistance to enhance the fishing industry over the last five years and this is presented in the table at Annex A (placed in library). Programmes of investment such as the European Fisheries Fund (EFF) are developed in co-operation with local stakeholders to identify investment priorities. This work has already commenced for the successor to the EFF, the European and Maritime Fisheries Fund, involving an initial local stakeholder workshop.

## Fishing: Local Opportunities

**Mr Hazzard** asked the Minister of Agriculture and Rural Development to outline (i) the opportunities that exist for the local fishing industry to grow over the next ten years; and (ii) what her Department is doing to enable the industry to successfully capitalise on such opportunities.

**(AQW 24455/11-15)**

**Mrs O'Neill:** Any growth in the local fishing industry will be largely dependent on the fishing opportunities available to it. Fishing opportunities for the “offshore” fleet, are dependent on the health of fish stocks, which determine the quotas and days at sea that are set by Europe. Our focus over the next ten years will be to ensure that these fish stocks are fished at levels that will result in Maximum Sustainable Yield. For stocks such as Nephrops and herring this will mean maintaining stocks in their current sustainable state and ensuring that fishing effort is controlled. For stocks such as cod and other whitefish the focus will continue to be on stock recovery and rebuilding. If these stocks recover there might be increased opportunities for the whitefish fleet.

Therefore for the “offshore” fleet, opportunities to expand are limited and the main opportunities for growth in future will come from adding value to existing catches. This might be achieved through developing new innovative products or markets, or through achieving recognised accreditation for certain fisheries such as Irish Sea herring.

In relation to the “inshore” fleet that targets mainly non-quota species my Department is currently consulting on a draft Sustainable Development Strategy, which is seeking stakeholders' views on the future management of the sector. The strategy considers issues such as governance, sustainability, technology, enforcement, data collection, and the alternative opportunities available to the sector. When this consultation ends on 2 August 2013, responses received will be considered

and, in partnership with the industry, we plan to develop an inshore management system that will not only help sustain the inshore sector, but also place it in a position to be able to grasp any future opportunities that may be identified.

My Department will continue to carry out fisheries research and stock surveys to help us to secure increases in fish quotas where these are justified, and under the new Common Fisheries Policy we will be engaging with other Member States to develop regional and fish stock management plans, and fish stock management measures appropriate for the seas around our coast.

The main mechanism for financially assisting the fishing fleet as a whole over the next seven years will be the European Maritime and Fisheries Fund (EMFF). This is due to run from 2014 to 2020 but the final shape of the EMFF and the funding that will be available depends on the final agreement that will be reached between the EU Council of Ministers and the European Parliament. This is not now expected until late 2013 at the earliest. Initial discussions have already been held with local stakeholders to try to identify funding priorities under the EMFF.

The Commission proposal for the new EMFF is focused more on environmental sustainability and it is likely that future funding will include support for adapting to the obligation to land all fish, adoption of conservation measures, reduction in impact on the marine environment, and improving quality and value of fish. My Department will be working with the local industry to identify the best way to use the range of measures in the EMFF to develop the fleet in a sustainable way.

## Ballykelly

**Mr Frew** asked the Minister of Agriculture and Rural Development, pursuant to AQW 23383/11-15, for her definition of rural; and based on this definition, how rural is Ballykelly.

**(AQW 24502/11-15)**

**Mrs O'Neill:** The NISRA Report of the Inter-Departmental Urban-Rural Definition Group Statistical Classification and Delineation of Settlements, concludes that defining urban/rural should be done in the context of its use i.e. the policy objectives being considered should inform what is defined as urban or rural.

As you will be aware, the process that led to me deciding on Ballykelly started with the production of a long list of potential locations. This long-list of potential locations was taken from the Regional Development Strategy (RDS). The RDS defines rural as settlements with a population of 4,500 or less. With approximately 1753 inhabitants, (source: NISRA 2011 Census) Ballykelly falls well within the definition of rural.

## Forestry Grant Scheme

**Mr Frew** asked the Minister of Agriculture and Rural Development what plans her Department has to ensure that there is no delay in the provision of Forestry Grant Schemes in the transition from the current to the new Rural Development Programme. **(AQW 24556/11-15)**

**Mrs O'Neill:** Transitional regulations are being developed by the Commission to support annual premia payments in the transitional period between 1 January 2014 and 31 December 2015. However, the transitional regulation does not make provision for new agreements to be undertaken for new planting after 31 December 2013.

My Department expects to submit a new programme to the Commission in early 2014 and after this date we can proceed at risk and make new agreements for planting. This may mean that agreements for planting cannot be made between January and when the Rural Development Programme is submitted.

My officials will continue to monitor the development of the transitional regulations to ensure the best outcome for our forestry sector.

## Forestry Grant Scheme

**Mr Frew** asked the Minister of Agriculture and Rural Development to outline her plans for the future of Forestry Grant Schemes.

**(AQW 24557/11-15)**

**Mrs O'Neill:** Forestry Grant Scheme proposals for inclusion in the next Rural Development Programme have been developed in consultation with stakeholders. A full public consultation on the draft Rural Development Programme is due to be launched on 1 July 2013 and this includes questions on forestry support. My Department will continue to work on the draft Programme taking account of stakeholder views and further information and guidance from EU Commission for preparation of a redraft in November/December 2013.

Proposals for the Forestry Grant Schemes include a Woodland Expansion Scheme which will be integrated, where possible, with the Agri-Environment Scheme. A Forestry Plantation Scheme is proposed which aims to encourage the creation of larger scale woodlands based on landscape scale considerations. Proposals for owners of existing woodland include a Forestry Competitiveness Scheme to support small scale infrastructure improvements, and investments in new forest technologies, and for processing and marketing of forest products. Support for sustainable forest management to enhance biodiversity are also proposed.

## Woodland Grant Scheme

**Mr Frew** asked the Minister of Agriculture and Rural Development for an update on the delivery of the woodland creation target. (AQW 24558/11-15)

**Mrs O'Neill:** Forest Service business plan target in 2012/13 was to create 250 ha of new woodland under the Woodland Grant Scheme and at the year end this target was met and 252 hectares was planted. However I acknowledge that this rate of planting is insufficient to meet our aim to increase woodland cover to 12 % of land area by the middle of this century.

To help achieve our long term aim, the 2013/14 Forest Service business plan identifies the operation of a pilot Forestry Challenge Scheme for creation of at least 100 hectares of new woodland in addition to a target of 250 ha. The Forestry Challenge Scheme will be aimed at encouraging farmers and landowners to establish new woodland on a landscape scale and applications will be assessed by judging which proposals contribute most to delivering the aims of the Forestry Challenge Scheme on a best value basis.

## Rural Villages: Ards Borough Council

**Mr Weir** asked the Minister of Agriculture and Rural Development to detail the villages in Ards Borough Council area that are classified as rural villages.

(AQW 24561/11-15)

**Mrs O'Neill:** The villages in Ards Borough Council Area that are classified as rural for Rural Development funding purposes are

- |                |                   |
|----------------|-------------------|
| ■ Ballygowan   | ■ Balloo          |
| ■ Portaferry   | ■ Ardmillan       |
| ■ Millisle     | ■ Ballybarnes     |
| ■ Portavogie   | ■ Ballyboley      |
| ■ Ballywalter  | ■ Ballydrain      |
| ■ Kircubbin    | ■ Ballyeasborough |
| ■ Greyabbey    | ■ Ballyfrenis     |
| ■ Killinchy    | ■ Ballygalget     |
| ■ Carrowdore   | ■ Ballystockart   |
| ■ Lisbane H    | ■ Cotton          |
| ■ Ballycranbeg | ■ Glastry         |
| ■ Cloughey     | ■ Kirkistown      |
| ■ Ballyhalbert | ■ Kilmood         |
| ■ Whiterock    | ■ Rubane          |

## Birds: Castlewellan Forest Park

**Mr Wells** asked the Minister of Agriculture and Rural Development why trees in Castlewellan Forest Park, that are infected by *Phytophthora ramorum*, are being felled during nesting season.

(AQW 24610/11-15)

**Mrs O'Neill:** The felling of trees at Castlewellan Forest Park has commenced immediately as this action is the most effective way of reducing the risk of the disease spreading to other forest species.

## Birds: Castlewellan Forest Park

**Mr Wells** asked the Minister of Agriculture and Rural Development whether any checks were carried out for nesting birds before felling commenced of 25,000 trees in Castlewellan Forest Park.

(AQW 24611/11-15)

**Mrs O'Neill:** Forest Service manage a species recording system which catalogues sightings of bird species as well as their breeding sites, particularly important for birds which are protected or under threat. Information is recorded and verified on the system using competent and reliable sources such as RSPB, Raptor Study Group and Forest Service staff. This information was checked prior to commencing disease control felling operations.

Additionally, Forest Service has deployed a wildlife warden with specialist knowledge and skills to check all areas to be felled for the presence of rare and protected species and information provided has been used to schedule felling operations to minimise the risk of disturbance.

Forest Service in conjunction with RSPB have been monitoring the activity and breeding success of the Red Kite in the Castlewellan Area. RSPB and Forest Service have jointly assessed the fell areas and the progression of felling has been carefully considered to avoid disruption to the Red Kite species in particular.

## Central Investigation Service

**Mr Swann** asked the Minister of Agriculture and Rural Development whether the Central Investigation Service has completed any work outside in either the Republic of Ireland or Scotland, as permitted under the Service Level Agreement it holds with the Special EU Programmes Body.

**(AQW 24626/11-15)**

**Mrs O'Neill:** The Central Investigation Service has not completed any work in either the south of Ireland or Scotland for the Special European Union Programmes Body.

## Rivers Agency: Office Location

**Mr Frew** asked the Minister of Agriculture and Rural Development, pursuant to AQW 23383/11-15, to outline his proposals for Rivers Agency offices in (i) Greater Belfast Area; (ii) Lisburn; (iii) Craigavon; (iv) Omagh; (v) Coleraine; and (vi) Fermanagh.

**(AQW 24690/11-15)**

**Mrs O'Neill:** I recently announced at the Balmoral Show that Rivers Agency Headquarters at Hydebank will relocate to the Loughry Campus at Cookstown. This does not impact any other existing Rivers Agency offices.

## Questions: Answer Content

**Mr Swann** asked the Minister of Agriculture and Rural Development whether, in answers to written questions, she gives an answer that would be consistent if the same question was asked under a Freedom of Information request.

**(AQW 24796/11-15)**

**Mrs O'Neill:** Under the Freedom of Information Act the Department is only required to provide information already held in recorded form. It does not have to create new information. However, in responding to Assembly Questions, the Department may create new information.

## Department of Culture, Arts and Leisure

### Rates: GAA Facilities

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure whether she has any plans to raise the issue of GAA facilities' rates with the Executive.

**(AQW 20700/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Following the call by the Assembly for the Minister for Finance and Personnel to examine the rates relief afforded to sports clubs, I was asked by the Minister for Finance and Personnel to engage with the sports sector with a view to establishing if any case exists for an extension of the current discretionary rates relief of 80% for some sports clubs to 100%.

My Department is currently considering a paper recently received from the NI Sports Forum, the recognised representative body for all voluntary sports organisations in the north, including the GAA. My officials are currently engaging with the Department of Finance and Personnel on this paper.

I understand that the GAA liaised with the Sports Forum to ensure that its view was included in the paper currently under consideration. My Department has also engaged directly with the GAA on the issue of rates relief.

If I consider there is a case for an extension of discretionary relief, I will indicate this to DFP. In view of potential considerations the Minister for Finance and Personnel will give to the wider implications of rates relief for sports clubs, I will, in the first instance, be dealing with him.

### Sports Institute: Lottery/Exchequer Funding

**Mr McDevitt** asked the Minister of Culture, Arts and Leisure (i) how much (a) Lottery; and (b) Exchequer funding has been granted to the Sports Institute Northern Ireland over the last three years; (ii) what conflict of interest processes are in place for Sport NI granting lottery funds to the Sports Institute; (iii) what processes are in place for SportNI to determine whether capital funding should come from Lottery or Exchequer funds; and (iv) how Sport NI ensures that lottery funding for projects is distinct and additional to Government funds.

**(AQW 21665/11-15)**

**Ms Ní Chuilín:**

- (i) Over the last three year period 2010 – 2013 a total of £6.741m has been granted to the Sports Institute for Northern Ireland (SINI). This grant has been exclusively funded by Lottery over this period.
- (ii) Conflicts or potential conflicts of interest in respect to distribution of Lottery funds are ultimately managed and controlled under the National Lottery Act 1993. Under Section 27(2) of the National Lottery Act the Secretary of State for Culture, Media and Sport can make an Order preventing a Lottery Distributor, such as SportNI, from making an

award to a body which it owns or controls, or over which it has significant influence. However, the Secretary of State has discretion, under the Act, to decide not to make an Order if it is considered that the circumstances so warrant. Prior to taking any decision to grant aid SINI through Lottery funds, SportNI, through DCAL, obtained a waiver in 2009 from the Secretary of State to enable it to Lottery fund the Institute for a 5 year period up to and including 2014. As part of its application for a waiver, SportNI undertook to ensure objectivity and independence in considering the award of a Lottery grant by appointing independent consultants to appraise the SINI Lottery bid on its behalf. SportNI also provided assurance that any bid would also go to the SportNI Board for consideration and via DCAL for independent quality review. Having considered the various issues and factors set out in SportNI's application for a waiver in this case - including representations in relation to the independence and rigour with which awards would be managed - the Secretary of State decided not use his Section 27 powers to prohibit the payment of Lottery monies to SINI.

- (iii) In line with the additionality principle of Lottery Funding, SportNI considers the availability of all alternative forms of funding (primarily exchequer) within the business cases for all new capital programmes. SportNI also ensures within the business cases that funding proposals for capital programmes comply with the principles and directions of the National Lottery etc. Act 1993.
- (iv) As referred to above, SportNI ensures that all programmes and projects comply with Lottery Directions at business case stage prior to budgets being approved and business plan objectives being set. Following the business case decision, SportNI ensures that the distinction between Lottery and Exchequer funding is maintained as follows:
- a funding of programmes/projects set out within annual business plans are approved by the SportNI Board and DCAL;
  - b Letters of Offer on projects explicitly state funding source (either Lottery or Exchequer); and
  - c Separate reporting of the annual Lottery Accounts.

### **World Police and Fire Games 2013: Capacity**

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure to outline how she will achieve full capacity of competitors and spectators at the World Police and Fire Games 2013.

**(AQW 23435/11-15)**

**Ms Ní Chuilín:** The World Police and Fire Games Company continues to implement a targeted marketing and communications strategy with robust actions to maximise registrations and visitor and spectator numbers and has recruited additional marketing staff to support this focused approach.

This strategy contains a wide range of actions specifically designed to encourage registrations; both from local competitors and from across the world.

Athletes can continue to register until the start of the Games on 1 August and the Company will be making every effort to secure as many competitors and spectators as possible for what will be the friendliest Games ever.

### **World Police and Fire Games 2013: Capacity**

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure to outline the financial implications of not achieving full capacity of competitors and spectators at the World Police and Fire Games 2013.

**(AQW 23436/11-15)**

**Ms Ní Chuilín:** The Business Case estimates that the total visitor spend of the Games will be between £16.3 and £21.4m. If the target athlete and visitor numbers are not realised the total spend figure is likely to be at the lower end of this estimate.

However there will be significant wider benefits and legacy aspects to the Games - for example; in improved community understanding of the role of the Services, the development of a pool of 3,500 volunteers and the international promotion of the North of Ireland as a location which has the capacity and expertise to host major sporting events.

### **Zebra Mussels: Funding**

**Mr Girvan** asked the Minister of Culture, Arts and Leisure (i) how much funding was set aside by the Department to deal with zebra mussels; (ii) how much of this money went unspent; and (iii) how this money was reallocated.

**(AQW 23503/11-15)**

**Ms Ní Chuilín:** My Department does not have any dedicated fund to deal with zebra mussels.

In the past year my Department has worked in partnership with NIEA and a range of other organisations to promote the Check, Clean, Dry bio-security campaign, which aims to raise awareness to help prevent the spread of aquatic invasive species, including zebra mussels.



## Dignity at Work: DCAL Cases

**Mr Spratt** asked the Minister of Culture, Arts and Leisure how many Dignity at Work cases have been lodged in her Department in each of the last five years, broken down by (i) core department; and (ii) non-departmental public body; and how many of these cases have been successfully resolved.

(AQW 23558/11-15)

**Ms Ní Chuilín:** The information requested is detailed in the table below.

DCAL Core	Cases Lodged	Cases Resolved	Cases Still Outstanding
1 April 2008 – 31 March 2009	0	0	N/A
1 April 2009 – 31 March 2010	1	1	0
1 April 2010 – 31 March 2011	1	1	0
1 April 2011 – 31 March 2012	2	2	0
1 April 2012 – 31 March 2013	1	0	1
1 April 2013 – 28 May 2013	0	0	1

DCAL's NDPB's /ALB's	Cases Lodged	Cases Resolved	Cases Still Outstanding
1 April 2008 – 31 March 2009	0	0	N/A
1 April 2009 – 31 March 2010	0	0	N/A
1 April 2010 – 31 March 2011	1	0	1
1 April 2011 – 31 March 2012	3	3	0
1 April 2012 – 31 March 2013	1	1	0
1 April 2013 – 28 May 2013	0	0	N/A

## Salmon and Inland Fisheries Forum: Membership

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail the current membership of the Salmon and Inland Fisheries Forum and when the individuals were appointed.

(AQW 23598/11-15)

**Ms Ní Chuilín:** The list below details the current membership of the Salmon and Inland Fisheries Forum and when each individual was appointed.

Robert Murtland	appointed December 2009
Michael Crilly	appointed December 2009
Allan Kilgore	appointed December 2009
Jack Tisdall	appointed December 2009
Gary W Houston	appointed December 2009
Robert J Haughey	appointed December 2009
Patrick Close	appointed December 2009
Francis G Conlon	appointed December 2009
Aidan Hannon	appointed October 2012
Seymour Sweeney	appointed October 2012
Hugh Edward J Montgomery	appointed December 2009
Maurice Parkinson	appointed May 2013
David Laughlin	appointed December 2009
John McWilliams	appointed July 2010
Paul Johnston	appointed January 2011
Dermot Curran	appointed December 2009
Mark P Horton	appointed December 2009

There are currently two vacant positions.

## Netball: Funding

**Mr I McCrea** asked the Minister of Culture, Arts and Leisure to detail the funding that is available to help netball players representing Northern Ireland at international competitions with the cost of travel.

**(AQW 23616/11-15)**

**Ms Ní Chuilín:** Sport NI, an arm's-length body of my Department, is the primary funder for sport in the north of Ireland. Sport NI's Athlete Investment Programme (AIP) provides assistance to athletes, including netball players representing the north of Ireland, with the cost of travel to international competitions. My Department has approved the funding for the 2013/14 AIP and Sport NI will be contacting applicants, including the Governing Body for netball, Netball NI, to advise on the outcome of their application. Athletes, including netball players, may also be able to source assistance with travel costs through either the Mary Peters Trust or their local authorities.

## Rivers: Bailiff Patrols

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure how many bailiffs are employed to patrol rivers.

**(AQW 23662/11-15)**

**Ms Ní Chuilín:** My Department currently employs 11 Fisheries Protection Officers dedicated to fisheries protection and enforcement duties at all water bodies across the DCAL jurisdiction. Another 11 DCAL Inland Fisheries staff and managers are also warranted under the Fisheries Act (NI) 1966 and, when required, participate in fisheries protection and enforcement duties.

There are also currently 228 Private Water Bailiffs warranted to carry out such duties on specified waters controlled by angling clubs.

## First World War: Then and Now Grant

**Mr Hussey** asked the Minister of Culture, Arts and Leisure whether the First World War: Then and Now grant will operate in Northern Ireland.

**(AQW 23678/11-15)**

**Ms Ní Chuilín:** The First World War: Then and Now programme is run by the Heritage Lottery Fund which does not fall within the remit of my Department. Heritage Lottery Fund has advised that the programme is currently open for applications from 2013 to 2018. The programme is available in Britain and in the north of Ireland.

## Boxing: North Down

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail which boxing clubs in the North Down constituency will benefit from the Amateur Boxing Strategy.

**(AQW 23719/11-15)**

**Ms Ní Chuilín:** As a result of an expression of interest exercise for the Boxing Investment Programme, two amateur boxing clubs from North Down have been identified as meeting the agreed eligibility criteria to receive equipment. These clubs are:

- Abbey ABC
- North Down ABC

Furthermore, an independent technical team is due to be appointed in July which will visit individual boxing clubs to assess the need for capital works and facility repairs. This may include clubs from North Down.

## Equity Clause: Grants

**Mr Elliott** asked the Minister of Culture, Arts and Leisure to outline the rationale, content and outworking of an equity clause which is a standard condition for grants in funding programmes.

**(AQW 23736/11-15)**

**Ms Ní Chuilín:** All funding from the Department of Culture, Arts and Leisure (DCAL) is administered in accordance with statutory obligations and relevant public policy. DCAL and its arms length body, Sport NI, will continue to promote the need for equality and the desirability of good relations in the context of celebrating and sustaining the north of Ireland's cultural, sporting and historical diversity. To that end, Sport NI funding programmes contain the following clauses: -

### Capital Awards

'The Applicant must operate an equal opportunities policy during and following completion of the Project and no-one shall be denied the right to equal access to any goods, facilities, services and/or employment opportunities attaching to the Project on grounds of race, gender, sexual orientation, disability, religious belief, political opinion, marital status, age, or having or not having dependants; in addition, the recipient shall take all reasonable steps to ensure that the facilities and premises assisted by this grant shall be run in an inclusive manner which will both aspire to and promote good relations'.

### Revenue Awards

'The Applicant must operate an equal opportunities policy during and following completion of the Project and no-one shall be denied the right to equal access to any goods, facilities, services and/or employment opportunities attaching to the Project on grounds of race, gender, sexual orientation, disability, religious belief, political opinion, marital status, age, or having or not having dependants; in addition, the recipient shall take all reasonable steps to ensure that the opportunities and programmes assisted by this grant shall be run in an inclusive manner which will both aspire to and promote good relations'.

As with all DCAL approved policies, this clause will be kept under review.

### Equity Clause: Grants

**Mr Elliott** asked the Minister of Culture, Arts and Leisure whether an equity clause, as a standard condition for grants in funding programmes, precludes organisations, which have grounds or trophies named after terrorists, from funding. (AQW 23737/11-15)

**Ms Ní Chuilín:** The equity clause contained in all offers of capital and revenue support from Sport NI, applies to all organisations seeking assistance. As with all DCAL policies, this clause will be kept under review.

I am not aware of any sports organisations which have grounds or trophies named after any deceased person whom all sections of the community recognise as having been a terrorist.

### Catch and Release Legislation

**Mr Swann** asked the Minister of Culture, Arts and Leisure how she intends to bring forward legislation on catch and release. (AQW 23759/11-15)

**Ms Ní Chuilín:** Draft legislation has been prepared that will form the basis of a consultation document and this is currently under consideration by the Department.

Following consideration of consultation responses legislation will be progressed in line with procedural guidelines.

### CIPFA Training Courses

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 20657/11-15, to detail the Chartered Institute of Public Finance and Accountancy training courses that have been provided, which were deemed to be specific in nature, and particular to the business of her Department, and how many staff attended. (AQW 23904/11-15)

**Ms Ní Chuilín:** The table below sets out business specific training provided by CIPFA to DCAL staff in each of the last 3 financial years.

Financial Year	CIPFA Course Title	Number of Staff
10/11	Conducting Verification Visits	3
	Perfect Proof Reading	1
	Resource Budgeting	1
11/12	Capital Accounting	3
	Essential Skills for Board Members	2
	Fraud Awareness for Grant Funders	3
	Resource Budgeting through Estimates to Accounts	12
12/13	Capital Accounting	2
	Essential Skills for Board Members	3
	Resource Budgeting through Estimates to Accounts	4
<b>Total</b>		<b>34</b>

### Fish: Stock in Lough Neagh

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure whether she has met with the Lough Neagh Dollaghan Trust or received any research it has completed on indigenous fish stocks in the Lough. (AQW 23969/11-15)

**Ms Ní Chuilín:** My officials in Inland Fisheries Group met with representatives of the Lough Neagh Dollaghan Trust on 7 March. I understand that this was a very positive meeting and during the discussions the Trust referred to research being

undertaken at Queens University on the genetic population structure of the Lough Neagh trout. Officials were presented with a summary of this study.

My officials also attended a public meeting organised by the Trust on the 23 April at the Old Antrim Courthouse and they will attend a follow up meeting planned for the 19 June.

### World Police and Fire Games 2013: Marketing Budget

**Mr Ross** asked the Minister of Culture, Arts and Leisure to detail the marketing budget provided by her Department for the World Police and Fire Games 2013.

**(AQW 24008/11-15)**

**Ms Ní Chuilín:** The total World Police and Fire Games budget for delivery of the games in August 2013 is £13,813,145.

The NI Executive, through DCAL, is providing up to £6.88m. The balance comes from sponsorship and fees charged to athletes for entering the Games.

The cash budget allocated to marketing totals £384,462.

### Salmon and Inland Fisheries Forum: Membership

**Mr Swann** asked the Minister of Culture, Arts and Leisure who is the new member appointed to the Salmon and Inland Fisheries Forum.

**(AQW 24069/11-15)**

**Ms Ní Chuilín:** The new member appointed to the Salmon and Inland Fisheries Forum on 18 May 2013 is Mr Maurice G Parkinson, who represents fishery owners.

### Netball: Funding

**Mr I McCrea** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 23615/11-15, for a detailed breakdown of the funding.

**(AQW 24105/11-15)**

**Ms Ní Chuilín:** Over the last two financial years, my Department through Sport NI, has provided total funding of £303,409 to Netball NI, the governing body for netball in the north of Ireland. A detailed breakdown of the funding is as follows: -

Financial Year	Project	Amount	Fund
2011/12	Development of Athletes in the Open Squad and U21 Squad	£18,000	Exchequer
2011/12	Assist in development of netball in north of Ireland	£9,524	Exchequer
2011/12	Investing in Performance Sport – Governing Body funding – Year 3	£122,128	Exchequer
2012/13	Development of Open Squad	£30,000	Lottery
2012/13	Investing in Performance Sport – Governing Body funding – Year 4	£123,757	Exchequer

### Rivers: Treated Sewage

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail any reports or studies carried out by her Department on the impact by the discharge of treated sewage waste in to river courses has on wildlife and the angling estate.

**(AQW 24124/11-15)**

**Ms Ní Chuilín:** The Northern Ireland Environment Agency (NIEA) has a statutory function to administer the Water (NI) Order 1999 in relation to the conservation of water resources and the cleanliness of water. Reports or studies on the impact of all pollution incidents are the responsibility of the NIEA.

My Department works closely with NIEA on pollution incidents and on post-pollution fisheries reinstatement measures.

### Pensions: North/South Bodies

**Mr Allister** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 20705/11-15, to confirm that the answer given refers to the percentage of employer contributions to the pension funds of existing employees and not amounts being paid to those presently in receipt of pensions.

**(AQW 24132/11-15)**

**Ms Ní Chuilín:** The position of the North/South Bodies in regards to their answers to AQW 20705/11-15 is as follows:-

- 1 The Ulster-Scots Agency's has no pensioners on their payroll and therefore their effective employer's contribution to existing employees for the 2012 calendar year was zero.
- 2 Foras na Gaeilge does not make employer contributions to the pension fund of existing employees.

3 Waterways Ireland does not make employer contributions to the pension fund of existing employees.

### Music Industry Strategy

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure, in relation to the targets set in the Music Industry Strategy for Northern Ireland, how many music businesses have been established since 2011.

**(AQW 24160/11-15)**

**Ms Ní Chuilín:** The Music Industry Strategy outlined priority areas such as innovation, internationalisation, business skills and talent development to increase the economic impact of the sector. Achieving the targets in the strategy will be dependent on investment made both by Government here and its partners and by the industry itself.

At the centre of the strategy is a new Music Business Support Programme (MBSP), funded by DCAL and Invest NI, offering advisory and support services for music related business, start-ups or individuals interested in career opportunities. This will act as a catalyst to encourage entrepreneurship and business development.

A competitive tendering process was launched following a full economic appraisal of the MBSP proposal and selection of the organisation to deliver the MBSP is currently being finalised. The programme plans to run over 2013-2016.

The number of music businesses established since 2011 cannot be determined as many such start-ups will be sole traders with levels of turnover outside of current measurement methodologies. However, in terms of targets directly attributable to the MBSP, delivery of this initiative will enable tracking of supported start-ups and expects to result in a minimum of 27 music businesses being created or attracted to the region.

DCAL and Invest NI will work with the MBSP delivery organisation to build further partnerships across the private and public sectors to extend the reach of available support, particularly around events, marketing, business support and skills development

### Cycling Clubs: East Antrim

**Mr McMullan** asked the Minister of Culture, Arts and Leisure to detail the cycling clubs in the East Antrim area that have applied for funding from her Department and its arm's-length bodies.

**(AQW 24181/11-15)**

**Ms Ní Chuilín:** Within the last ten years, only one cycling club from the East Antrim area has applied for funding from my Department and its arms-length bodies. This club was Kings Moss Cycling Club, who applied for funding in 2010 through the Sport NI Awards for Sport Programme; however, their application was unsuccessful.

### Stadia: Funding for Windsor Park, Ravenhill and Casement Park

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure what is the expected timeline for improvements at (a) Windsor Park, (b) Ravenhill and (c) Casement Park in light of an expected judicial review of the project funding.

**(AQW 24206/11-15)**

**Ms Ní Chuilín:** My Department, in conjunction with the Governing Bodies, are working towards the following:

- construction work at Ravenhill to be completed by September 2014;
- construction works at Windsor Park to be completed by June 2015; and
- construction works at Casement Park to be completed by September 2015.

### South Antrim: Funding

**Mr Clarke** asked the Minister of Culture, Arts and Leisure how much funding has been allocated by her Department to the South Antrim constituency, in each of the last five years.

**(AQW 24230/11-15)**

**Ms Ní Chuilín:** The total amount of funding allocated by the Department to the South Antrim constituency in the last five years is summarised in the tables below, divided between resource and capital:

	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Resource	70	120	90	180	136
Capital	620	679	124	491	10
<b>Total</b>	<b>690</b>	<b>799</b>	<b>214</b>	<b>671</b>	<b>146</b>

Detailed breakdowns by project are provided in Annex A

I should point out that if there was any doubt as to whether the South Antrim constituency benefited from the grant, then that grant has been excluded from the answer. For example, if an organisation situated in the South Antrim constituency spent the funding further afield, it has been excluded from the answer.

**ANNEX A****Resource - South Antrim Constituency**

ALB/Branch	Organisation/Project	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
NIMC	Sentry Hill House			5		
Sport Northern Ireland	Antrim Borough Special Olympics Club		3			
Sport Northern Ireland	Kickhams Creggan GAC		8			
Sport Northern Ireland	Newtownabbey Borough Council		1			
Sport Northern Ireland	Carnmoney Football Development Centre				2	
Sport Northern Ireland	Antrim Sports Advisory Association - Coach Smart				3	
Sport Northern Ireland	Breckenhill Ltd - Adventure Activities Accreditation				1	
Ulster Scots Agency	Sixmilewater Cultural Society	4				
Ulster Scots Agency	Ulster Scots Cultural Development Trust	6	3	3	6	3
Ulster Scots Agency	Ballydonaghy Pipe Band	4		3	2	
Ulster Scots Agency	Burnside US Society	1	1			
Ulster Scots Agency	Dungonnell Ulster Scots & Cultural Society	2				
Ulster Scots Agency	Burnside Accoridon Band	2	2	4	2	
Ulster Scots Agency	South Antrim U-S Network		3	14	16	7
Ulster Scots Agency	Ballyrobert Drumming Club			4	2	
Ulster Scots Agency	Castlegore Flute Band			3		1
Ulster Scots Agency	Doagh Fife & Lambeg Club			2	2	
Ulster Scots Agency	Milltown Rural Development			4		
Ulster Scots Agency	Muckamore Cultural Music Society			3	2	2
Ulster Scots Agency	Muckamore Ulster Scots			2		2
Ulster Scots Agency	Randalstown Cultural			2		
Ulster Scots Agency	Sir Henry Inglesby's Fife & Drum Corps			3	2	
Ulster Scots Agency	Randalstown District LOL 22				10	
Ulster Scots Agency	Inter Estate Partnership				2	2
Ulster Scots Agency	Ballycraigy Auld Boys Muscial Association				2	2
Ulster Scots Agency	Caddy & District Community Group				2	2
Ulster Scots Agency	Kellswater Flute Band				1	
Ulster Scots Agency	McNeillstown Pipe Band				2	
Ulster Scots Agency	Milltown Accoridon Band				2	1
Ulster Scots Agency	Randalstown Cultural Awareness Association				2	
Ulster Scots Agency	Randalstown Sons of Ulster Flute Band				2	

ALB/Branch	Organisation/Project	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Ulster Scots Agency	Steeple Cultural & Heritage Association				2	
Ulster Scots Agency	Steeple Veterans Flute Band				2	2
Ulster Scots Agency	Ulster Scots Cultural & Historical Society				1	
Ulster Scots Agency	Bruce's True Blues Accordion Band				2	
Ulster Scots Agency	Burnside Ulster Scots Society					5
Ulster Scots Agency	Kids Kabin					3
Ulster Scots Agency	Steeple Defenders Flute Band					2
Ulster Scots Agency	MPDA					2
Ulster Scots Agency	Ulster-Scots Culture Dev Trust					3
Foras Na Gaeilge	Crumlin Vocational Education Committee			4		
Foras Na Gaeilge	Crumlin VEC			4	4	
Foras Na Gaeilge	Cairde Ghleann Darach			4		8
Foras Na Gaeilge	Croí Éanna			1	60	55
Foras Na Gaeilge	Gaelscoil Éanna					4
Foras Na Gaeilge	Cumann Óige Chroí Éanna					3
Northern Ireland Events	Antrim Girls Golf Funding	12				
Northern Ireland Events	Motocross	15				
Northern Ireland Events	Great Game Fairs		10			
Northern Ireland Events	ULster Grand Prix		65			
DCAL	Community Festivals Fund	12	12	13	14	14
NI Screen	NEELB	12	12	12	12	8
ACNI	Major Sinclair Memorial Pipe Band				4	
ACNI	Randalstown Sons of Ulster				4	
ACNI	Staffordstown Accordion Band				5	
ACNI	Steeple Defenders Flute Band				5	
ACNI	Steeple Veterans Flute Band					5
		<b>70</b>	<b>120</b>	<b>90</b>	<b>180</b>	<b>136</b>

**Capital - South Antrim Constituency**

ALB/Branch	Organisation/Project	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Inland Waterways	Antrim BC - Sixmilewater Seating				3	
Inland Waterways	Antrim BC - Sixmilewater Trim Trail				8	
Sport Northern Ireland	Newtownabbey Borough Council	147				
Sport Northern Ireland	Antrim Borough Council	160				

ALB/Branch	Organisation/Project	2008/09 £000	2009/10 £000	2010/11 £000	2011/12 £000	2012/13 £000
Sport Northern Ireland	Ballyclare RFC	68				
Sport Northern Ireland	Tir na nOg GAC	245				
Sport Northern Ireland	St Comgall's GAC		225			
Sport Northern Ireland	Templepatrick Cricket Club		84			
Sport Northern Ireland	Muckamore Cricket & Tennis Club		124			
Sport Northern Ireland	Antrim Sports Advisory Association		7			
Sport Northern Ireland	Templepatrick Cricket Club		7			
Sport Northern Ireland	Mossley Hockey Club			5		
Sport Northern Ireland	Randalstown RFC			29		
Sport Northern Ireland	Academy Cricket Club			30		
Sport Northern Ireland	Ballyclare Comrades FC		232	60		
Sport Northern Ireland	Burnside Ulster Scots Society				245	
Sport Northern Ireland	Crumlin United FC				233	
Sport Northern Ireland	St James GAC				2	
Sport Northern Ireland	Glengormley Amateur Boxing Association					10
		<b>620</b>	<b>679</b>	<b>124</b>	<b>491</b>	<b>10</b>

### Walled City Marathon

**Mr Durkan** asked the Minister of Culture, Arts and Leisure whether her Department would support, and provide resources for, the return of the Walled City Marathon as an annual event.

**(AQW 24272/11-15)**

**Ms Ní Chuilín:** Primary responsibility for providing support and funding to events, including sporting events such as the Walled City Marathon, transferred in 2010 to the Department of Enterprise, Trade and Investment (DETI).

Having said that, my Department has approved a one year pilot Sports Events Funding Programme which will be launched by Sport NI in the near future. The Walled City Marathon organisers may wish to register with Sport NI to receive further information about this Programme when it is launched. I have asked my officials for an evaluation of the events success in 2013, and will consider the matter fully in due course.

### World Police and Fire Games 2013: Competitor Numbers

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure what action her Department is taking to ensure that the lower than expected number of competitors in the World Police and Fire Games will not negatively impact on the event.

**(AQW 24303/11-15)**

**Ms Ní Chuilín:** The WPF Game Company is continuing to implement a targeted marketing and communications strategy with robust actions to maximise registrations and visitor numbers and continues to market and promote the Games both within the north of Ireland and across the world.



The quality of the Games will not be impacted by the reduced forecast. The plans for the Games delivery are at an advanced stage and it is planned that all sports at all venues will take place. Currently there are over 60 different countries from across the globe that will have representation at the Games.

This will be the largest multi-sport event that the north of Ireland has hosted and will deliver significant economic and tourism benefits alongside the significant social inclusion and legacy benefits that are planned.

The Games remain a compelling means to showcase both Belfast and the north of Ireland.

### Legislation: DCAL

**Mr Weir** asked the Minister of Culture, Arts and Leisure to list the current or planned legislation that her Department will bring to the Assembly before the end of the current term.

(AQW 24311/11-15)

**Ms Ní Chuilín:** I intend to bring forward an Irish Language Bill before the end of the Assembly's mandate in 2016.

### Creative Industries

**Mr Spratt** asked the Minister of Culture, Arts and Leisure for her assessment of the impact the creative industries sector has on the wider economy.

(AQO 4395/11-15)

**Ms Ní Chuilín:** The creative industries are recognised across the globe as key drivers of sustainable economic regeneration and job creation. This part of Ireland has had major recent success particularly in areas such as film and television production.

However, increasingly the wider sustainable economic and social impact of the sector is also being recognised. The creativity and specialism within the creative industries supports the wider economy by supplying other sectors with creative inputs that increase innovation and productivity. The Executive's Economic Strategy has highlighted creativity and design as important features of a well-developed knowledge economy and innovation system.

Creativity will also play a crucial role in stimulating new partnerships and solutions to other government challenges in health, education, the environment, and in promoting equality and tackling poverty and social exclusion.

As Government lead on the creative industries, my Department will stimulate cross-departmental collaboration, as well as partnership with industry, academia and the community and voluntary sectors, to grow our creative industries and to support a more creative economy and a more inclusive agenda of social innovation.

### World Police and Fire Games 2013: Events

**Mr Weir** asked the Minister of Culture, Arts and Leisure whether any events scheduled as part of the World Police and Fire Games 2013 have been cancelled as a result of an insufficient number of competitors.

(AQW 24428/11-15)

**Ms Ní Chuilín:** Two sports, flag football and water polo were cancelled at an early stage due to a lack of competitor interest. These were replaced by dodgeball.

No other events have been cancelled. However, as is normal in the planning of any major sports competition, the provisional schedule has been reviewed and tightened.

There will be 56 sports held at 41 venues across the North of Ireland. It is anticipated that 2013 World Police and Fire Games Limited will continue to receive competitor entries right up to the day the Games begin on 1st August, which has occurred at previous Games.

### Cycling Clubs: North Down

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the cycling clubs in North Down that have applied for funding from her Department, and its arm's length bodies, in each of the last three years.

(AQW 24474/11-15)

**Ms Ní Chuilín:** No cycling clubs in North Down have applied for funding from my Department or Sport NI in the last three years.

### World Police and Fire Games 2013: Translators

**Mrs Overend** asked the Minister of Culture, Arts and Leisure, in relation to the World Police and Fire Games 2013, whether host sports organisations provide translators, and to detail the assistance she is providing to meet the cost of the number of translators needed and the languages covered.

(AQW 24498/11-15)

**Ms Ní Chuilín:** There are currently 64 different countries with competitors registered for the Games from every part of the world. As part of the recruitment of volunteers for the Games, those with multi lingual capabilities were encouraged to apply and a significant number did so. Where required these volunteers will provide assistance where necessary.

2013 World Police and Fire Games Limited have also had a number of meetings with the NI Consulates Forum and they are ready to provide assistance and support if required.

## Department of Education

### SELB Staff: Salaries

**Mr Allister** asked the Minister of Education why some staff in the Southern Education and Library Board have not received increments this year.

**(AQW 24314/11-15)**

**Mr O'Dowd (The Minister of Education):** Under the Executive's Public Sector Pay Policy, pay remits for all staff in public bodies, including Education and Library Boards, are required to be completed and submitted to the Department of Finance and Personnel for approval.

In regards of incremental progression for these staff from April 2013, my department is working to progress this matter within the requirements of the Executive's Public Sector Pay Policy.

### Christ the Redeemer Primary School, Lagmore: Admissions

**Mr Rogers** asked the Minister of Education, given the population growth in the Lagmore area, what plans has he to permit a temporary variation in the admissions number at Christ the Redeemer Primary School in the short term; and whether he will give due consideration to the school's development proposal.

**(AQW 24398/11-15)**

**Mr O'Dowd:** The Department has considered a number of requests from Christ the Redeemer Primary School for a temporary increase of its admissions number for the September 2013 intake covering a total of 15 applicants. These were not approved as there are several other maintained primary schools within reasonable travelling distance which still have places available. All of these children have been offered places in alternative schools selected by their parents.

The Development Proposal to increase the capacity of the school to cater for a total of 700 pupils with an associated intake of 100 was carefully considered following public consultation, but was not approved. My decision was announced on 1 May.

### Schools: Changing Facilities

**Mr Beggs** asked the Minister of Education to list the schools in which the gymnasium and changing facilities are closed because of health and safety issues; and what arrangements have been made to replace these facilities.

**(AQW 24522/11-15)**

**Mr O'Dowd:** The Department has sought information from the Education and Library Boards, however, I have been advised that the Boards who have responsibility for maintenance in controlled and catholic maintained schools have no record of gymnasium and changing facilities being closed due to Health and Safety issues.

The Department, has, however, a number of applications associated with sports provision, across the non controlled schools estate currently under consideration due to a number of issues including Health and Safety.

If the member's question relates to a specific school could he provide further information, to enable the question to be answered in full.

### Early Years Fund

**Mr Storey** asked the Minister of Education, pursuant to AQW 16101/11-15, for an update on this situation.

**(AQW 24633/11-15)**

**Mr O'Dowd:** The report on the review of the DE Early Years Fund has now been finalised. I plan to review this funding and its delivery to ensure that it aligns with DE's current aims and objectives. In considering the way forward for the Early Years Fund I will take account of the recommendations in the review as well as DE's wider priorities and the overall budgetary position.

### Schools: Newbuild Procedures

**Mr Storey** asked the Minister of Education for his assessment of the current process and procedures for the building of new schools.

**(AQW 24634/11-15)**

**Mr O'Dowd:** Major capital investment in schools, as with all large scale public sector investment, is subject to strict established policies and procedures. All capital building projects must adhere to planning and environmental laws and regulations. Adherence to these can be resource and time intensive, it is essential to ensure best value for the public purse. However I believe a balance has to be set to ensure timely delivery of new schools with associated improvement to

the education estate. An additional benefit of the school build programme is securing and creating additional jobs in the construction industry.

Within this framework the Department aims to ensure work is taken forward in an effective and efficient manner and deal with any unforeseen matters as and when they arise.

### Health and Well-being: Funding

**Mr Storey** asked the Minister of Education how much funding will be allocated to the Regional Training Unit to roll out the Health and Wellbeing teaching materials.

**(AQW 24643/11-15)**

**Mr O'Dowd:** The Regional Training Unit has not made a bid to the Department for funding to support a roll out of the Health and Wellbeing teaching material. Any bid, once received would be considered within the context of my Department's Strategic priorities and available resources.

### STEM: De La Salle College

**Mr Kinahan** asked the Minister of Education what follow up occurred with the 120 pupils and key business organisations that attended the STEM networking event in De La Salle College.

**(AQW 24659/11-15)**

**Mr O'Dowd:** In February 2012, Business in the Community (BITC) organised and hosted a STEM Speed Networking event in De La Salle College which is assumed to be the event that you refer to.

BITC have advised that the event was designed to help inspire local school children from Corpus Christi College, De La Salle College, St Rose's Dominican College, Newtownabbey Community High School, Belfast Model School for Girls & Ashfield Boys, on the career options and opportunities that studying STEM can offer. The event aimed to encourage pupils to pursue careers in STEM sectors and demonstrate how the related knowledge and skills can be transferred into the world of work.

Following the event, BITC evaluated feedback from 143 pupils and for each evaluation question at least 99 students responded. 99% of students found the event to be 'Good – Excellent' and would recommend it to other pupils/schools. Over 90% believed they had learned something new about Science, Technology and Engineering in the workplace and almost 80% learned something new about Maths in the workplace. 97% felt that they saw STEM in a more positive way due to this event and understood why businesses employ people with STEM qualifications. 86% said they would now consider a career that needed STEM qualifications.

BITC advise that pupils attending the event were in Year 9 at the time and have just completed Year 10, making their subject selections for the forthcoming academic year. BITC plan to follow up with the schools involved in September to ascertain any increase in pupils' selection of STEM subjects and to see if this can be attributed to this event.

### STEM: Website

**Mr Kinahan** asked the Minister of Education to outline the success of the STEM works portal that was set up by the Council for the Curriculum Examinations and Assessment; and what follow up has occurred with people who have used the portal.

**(AQW 24661/11-15)**

**Mr O'Dowd:** The STEMworks web site was developed by Council for the Curriculum Examinations and Assessment (CCEA) to support learning and teaching at Key Stage 3 of STEM related subjects including Science, Technology and Design, Mathematics, Home Economics and Employability. Ten schools were recruited to deliver STEM Futures (the main section of the portal) resources in school using a model of Innovation to address the recommendations of the STEM Review.

During April 2012 to March 2013 there were 5354 visits to the STEM works portal. Since April 2013 to 26 June there have been almost 2000 visits to the website. CCEA have also advised that:

- 100+ businesses have registered with the online Directory offering support to schools.
- A Case Study of how one school used a resource within the site was used at system-wide assessment training and received very positive feedback.
- A workshop at the recent Association for Science Education Conference was well attended by teachers and received positive feedback.
- There has been a query from another country asking if they could use the materials as they were seen to be very useful.

With regards to follow up actions, CCEA have taken the following steps to ensure continued support for STEM works:

- A communication strategy has been delivered to ensure all schools were made aware of developments, features and benefits of the site.
- A STEM Den event has been held for schools who participated in the Innovation project to showcase their work to a wider educational/industry audience. The event has been captured on film and published on the site to share with all schools.

- Two video case studies on the 'what?' and 'how?' of STEM Futures were developed and published to support schools with implementation.
- A STEM Heroes publication has been sent to all primary and post primary schools to highlight how schools used the original STEM Heroes comic to stimulate enquiry based, hand-on, practical learning in school through the use of emerging technologies.
- Printed copies of learning and teaching resources (previously only available online) have been issued to all schools.
- Assessment tasks for the three cross-curricular skills were developed from naturally occurring opportunities within the resources and published online to support teachers.
- Resources were extended to support Geography's contribution to the STEM agenda from a Renewables perspective.

### Schools: Entitlement Framework Funding Formula

**Mr Kinahan** asked the Minister of Education how successful his Department's revised Entitlement Framework funding formula has been in delivering an appropriate range of STEM courses.

**(AQW 24663/11-15)**

**Mr O'Dowd:** The purpose of the Entitlement Framework funding formula is to contribute to the costs associated with the expansion of the curricular offer by schools for their pupils to meet the requirement of the entitlement framework. The funding formula specifically supports the collaborative delivery of applied courses which has improved access to and provided greater freedom for pupils to explore the range of STEM-related subjects available.

The purpose of the Entitlement Framework is to put pupils, their needs, interests and aspirations first. It is designed to provide greater breadth and balance in the range of courses offered to young people at 14 and above, and ensuring they have access to a minimum number of applied courses. This increased choice is being supported with improved careers education, information, advice and guidance, again with a particular focus on STEM-related career opportunities.

Schools have access to up to date labour market intelligence which should form part of their curricular planning, responding to the demands of a fast moving globalised economy including STEM sectors.

### STEM: Sentinus/Sentinels

**Mr Kinahan** asked the Minister of Education how many of the 58,500 students who participated in the Sentinus programmes and Sentinels Young Innovators events in 2010/11 have gone on to (i) complete STEM courses; and (ii) take up employment in those areas.

**(AQW 24664/11-15)**

**Mr O'Dowd:** The Department provides annual core funding to Sentinus to provide a portfolio of STEM enhancement and enrichment programmes from Key Stage 2 through to Post 16 to promote the attractiveness of STEM careers.

Information on the number of students participating in these programmes who go on to complete STEM courses and subsequently take up employment in STEM sectors is not held by my Department.

However, the Department currently measures the impact of its STEM programme on promoting STEM subjects by comparing the uptake on the number of examination entries for STEM subjects. Statistics support the view that actions taken to date to promote STEM within our schools has been successful with an increase in both GCSE and A-Level STEM examination entries as a percentage of all examination entries. The following table illustrates the increase.

	2004/05	2010/11*
GCSE STEM entries as a percentage of all examination entries	33.9%	37%
A-Level STEM entries as a percentage of all examination entries	37%	40.4%

\* Data for the 2011/12 academic year is not available

### STEM: Smart Gear

**Mr Kinahan** asked the Minister of Education what follow up has occurred with the pupils who attended the Smart Gear event in 2011-12; and what was learnt from the event.

**(AQW 24666/11-15)**

**Mr O'Dowd:** In response to commitments contained in the STEM Strategy 'Success Through STEM' which was approved by the Executive in March 2011, DE approved funding in 2011/12 to deliver a Key Stage 2 STEM engagement programme. Some 1,233 pupils from 51 primary schools, their class teachers and 57 training teachers from three teacher training colleges (St. Mary's, Stranmillis and UU Coleraine) participated in the 2011/12 'Smart Gear' programme.

The main aims of the programme were to: address a gap in Key Stage 2 pupils science learning through practical engagement; excite and enthuse pupils about science to stimulate pupils to consider studying STEM subjects at Key Stage 4 and beyond; target schools which did not have a strong track record of engagement in STEM enhancement and enrichment activity; support science Continuous Professional Development for existing primary teachers; support the professional

development of training teachers from the three teacher training colleges; and provide a legacy whereby programme resources were retained within participating primary schools for future use by existing class teachers in delivery of the revised curriculum.

The evaluation at the conclusion of the programme highlighted that the aims of the programme were achieved with a very significant positive and beneficial impact on pupils, their class teachers and participating trainee teachers. In relation to pupils specifically, there was unanimous agreement that they would like to be involved in the project again, they enjoyed participating in the project and were aware of what they gained in terms of knowledge and skills.

Learning points from the delivery of the 2011/12 programme were incorporated into the 2012/13 programme, for example, twilight in-service training sessions are now delivered to encourage more thorough engagement by existing class teachers.

### Schools: Admission Appeals

**Mr Weir** asked the Minister of Education how many appeals against the refusal of admission to a school have been heard in (i) North Down; and (ii) Northern Ireland in each of the last five years; and how many of these appeals were successful. **(AQW 24692/11-15)**

**Mr O'Dowd:** The Education and Library Boards have provided the information requested in the following tables for academic years 2008/09 to 2012/13.

#### 1. Primary Schools Admissions Appeals

School year	Appeals heard (i) North Down	Appeals upheld (i) North Down	Appeals heard (ii) N Ireland	Appeals upheld (ii) N Ireland
2008/09	0	0	24	2
2009/10	1	0	25	7
2010/11	0	0	24	4
2011/12	10	4	55	10
2012/13	15	4	105	26

#### 2. Post- Primary Schools Admissions Appeals

School year	Appeals heard (i) North Down	Appeals upheld (i) North Down	Appeals heard (ii) N Ireland	Appeals upheld (ii) N Ireland
2008/09	27	2	413	126
2009/10	9	3	299	98
2010/11	20	3	335	78
2011/12	13	3	220	51
2012/13	2	0	191	53

### Educational Underachievement: Eyesight

**Mr Hazzard** asked the Minister of Education whether he is aware of any link between poor eyesight and educational underachievement.

**(AQW 24728/11-15)**

**Mr O'Dowd:** While my Department has not carried out any specific detailed research into a link between poor eyesight and educational underachievement it remains committed to raising levels of attainment for all pupils, including those with a visual impairment (VI). I was therefore pleased to note the endorsement of the support being offered to pupils with a VI in the Education and Training Inspectorate's "Report of an Evaluation of Provision for Pupils with a Visual Impairment in Mainstream Schools in Northern Ireland", published in 2012, which found provision for VI in mainstream schools to be very good. The report also found that the Education and Library Board's (ELBs) provided a very good standard of support to those with a VI.

Each child with a VI has unique needs and teachers of children with a VI will provide tailored advice to meet the pupil's individual learning needs so that the curriculum can be fully accessed.

Where a visual impairment prevents a child from fully accessing the curriculum, ELBs will address this through the statutory assessment and statementing process.

### Teachers: Unsatisfactory Performance

**Mr Ross** asked the Minister of Education how many teachers have been removed from post due to unsatisfactory performance in each of the last ten years.

**(AQW 24748/11-15)**

**Mr O'Dowd:**

- i It is not possible to provide the information requested broken down by academic years as the small numbers involved would require a high level of suppression to prevent identification of an individual, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.
- ii. A total of 62 teachers have received further training from Curriculum Advisory and Support Service or other agencies due to unsatisfactory performance issues in the last ten years.
- iii. I welcome the Committee's report, and I shall be giving close attention to their conclusions and recommendations. A Memorandum of Response from DFP will be prepared in line with normal practice. The Committee's focus on these issues is of great value.
- iv. Following on-going intense negotiations between Trade Unions and Management Side, new procedures were produced – a Procedure for Supporting Effective Leadership in Schools for School Principals and a Procedure for Supporting Effective Teaching in Schools for Teachers and Vice-Principals. Appendix 1 of this document refers to Termination of Employment of Principal/Teacher on the Grounds of Capability/Performance. These procedures came into effect from 6 June 2013.

### Teachers: Unsatisfactory Performance

**Mr Ross** asked the Minister of Education how many teachers have received further training from Curriculum Advisory and Support Service or other agencies due to unsatisfactory performance issues in the last ten years.

**(AQW 24749/11-15)**

**Mr O'Dowd:**

- v It is not possible to provide the information requested broken down by academic years as the small numbers involved would require a high level of suppression to prevent identification of an individual, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.
- vi. A total of 62 teachers have received further training from Curriculum Advisory and Support Service or other agencies due to unsatisfactory performance issues in the last ten years.
- vii. I welcome the Committee's report, and I shall be giving close attention to their conclusions and recommendations. A Memorandum of Response from DFP will be prepared in line with normal practice. The Committee's focus on these issues is of great value.
- viii. Following on-going intense negotiations between Trade Unions and Management Side, new procedures were produced – a Procedure for Supporting Effective Leadership in Schools for School Principals and a Procedure for Supporting Effective Teaching in Schools for Teachers and Vice-Principals. Appendix 1 of this document refers to Termination of Employment of Principal/Teacher on the Grounds of Capability/Performance. These procedures came into effect from 6 June 2013.

### Teachers: Unsatisfactory Performance

**Mr Ross** asked the Minister of Education whether he has taken account of Recommendation 10 of the Public Accounts Committee's Report on Improving Literacy and Numeracy Achievement in Schools; and what provision exists to allow schools to remove unsatisfactory teachers.

**(AQW 24750/11-15)**

**Mr O'Dowd:**

- ix. It is not possible to provide the information requested broken down by academic years as the small numbers involved would require a high level of suppression to prevent identification of an individual, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.
- x A total of 62 teachers have received further training from Curriculum Advisory and Support Service or other agencies due to unsatisfactory performance issues in the last ten years.
- xi. I welcome the Committee's report, and I shall be giving close attention to their conclusions and recommendations. A Memorandum of Response from DFP will be prepared in line with normal practice. The Committee's focus on these issues is of great value.
- xii. Following on-going intense negotiations between Trade Unions and Management Side, new procedures were produced – a Procedure for Supporting Effective Leadership in Schools for School Principals and a Procedure for Supporting Effective Teaching in Schools for Teachers and Vice-Principals. Appendix 1 of this document refers to Termination of Employment of Principal/Teacher on the Grounds of Capability/Performance. These procedures came into effect from 6 June 2013.

## Teachers: Unsatisfactory Performance

**Mr Ross** asked the Minister of Education whether he has had discussions with teachers' unions on the issue of the removal of unsatisfactory teachers.

**(AQW 24751/11-15)**

**Mr O'Dowd:**

- xiii. It is not possible to provide the information requested broken down by academic years as the small numbers involved would require a high level of suppression to prevent identification of an individual, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.
- xiv. A total of 62 teachers have received further training from Curriculum Advisory and Support Service or other agencies due to unsatisfactory performance issues in the last ten years.
- xv. I welcome the Committee's report, and I shall be giving close attention to their conclusions and recommendations. A Memorandum of Response from DFP will be prepared in line with normal practice. The Committee's focus on these issues is of great value.
- xvi. Following on-going intense negotiations between Trade Unions and Management Side, new procedures were produced – a Procedure for Supporting Effective Leadership in Schools for School Principals and a Procedure for Supporting Effective Teaching in Schools for Teachers and Vice-Principals. Appendix 1 of this document refers to Termination of Employment of Principal/Teacher on the Grounds of Capability/Performance. These procedures came into effect from 6 June 2013.

## Teachers: Unsatisfactory Performance

**Mr Ross** asked the Minister of Education whether the Education and Training Inspectorate releases the names of teachers, who have taught unsatisfactory or inadequate lessons in front of Inspectors, to Principals and Boards of Governors.

**(AQW 24752/11-15)**

**Mr O'Dowd:** A teacher's work is evaluated as either satisfactory or unsatisfactory. Where their work is evaluated as unsatisfactory it will not be on the basis of one lesson only. In such a case, the principal and Board of Governors will be informed at the oral feedback that the work of a teacher has been evaluated as unsatisfactory. The written notice of unsatisfactory practice, sent to the teacher, will be copied to the principal, the Chair of the Board of Governors and the Employing Authority.

## Education Other Than At School

**Mr Girvan** asked the Minister of Education how many children have been transferred from mainstream secondary education to the Education Other Than At School programme over the last three years, broken down by constituency.

**(AQW 24768/11-15)**

**Mr O'Dowd:** The number of children transferred to Education Other Than At School (EOTAS) from mainstream secondary education in the Belfast and North Eastern Education and Library Boards is as set out in Table 1 below:

Year	BELB	NEELB
2010/2011	123	179
2011/2012	141	157
2012/2013	146	201

The figures indicated relate to new pupils transferred to an EOTAS setting in each year and include group provision and home tuition. The Boards are unable to break this down to constituency level.

The Western, Southern and South Eastern Education and Library Boards are only in a position to provide the total number of pupils in EOTAS provision in each year. The centrally held data does not currently include a breakdown of new pupils transferred to EOTAS from a mainstream school in each year. This detailed information is held by each EOTAS setting and these are now closed for the summer period.

The total number of children in EOTAS settings in each of these Board areas is as set out in Table 2 below:

Year	Board Area		
	SELB	WELB	SEELB
2010/11	166	205	184
2011/12	134	172	161
2012/13	135	125	201

## Pupils: Attendance

**Mr Weir** asked the Minister of Education to detail the number of pupils who have a school attendance rate of less than 85 percent, broken down by constituency.

**(AQW 24779/11-15)**

**Mr O'Dowd:** The information requested is provided in the table below.

Number of enrolments with less than 85% attendance by Parliamentary Constituency, 2011/12

Parliamentary Constituency	Primary	Post-primary	Special	Total
Belfast East	412	687	64	1163
Belfast North	599	935	96	1630
Belfast South	416	632	64	1112
Belfast West	662	841	154	1657
East Antrim	299	631	38	968
East Derry	272	605	31	908
Fermanagh and South Tyrone	388	691	22	1101
Foyle	575	960	35	1570
Lagan Valley	308	541	59	908
Mid-Ulster	366	643	21	1030
Newry and Armagh	448	650	37	1135
North Antrim	304	661	41	1006
North Down	256	520	35	811
South Antrim	396	699	37	1132
South Down	371	679	30	1080
Strangford	293	549	49	891
Upper Bann	520	882	35	1437
West Tyrone	294	653	33	980
Total	7179	12459	881	20519

### Notes:

- 1 The figures include enrolments in Years 1-7 in primary school; Years 8-12 in post-primary school and all enrolments in special schools.
- 2 The data refer to the number of pupil enrolments rather than the number of pupils. A pupil can move schools during the year and will therefore have an attendance record at more than one school.
- 3 The figures refer to the Constituency in which the pupil lives. Postcode was not available for 151 primary school enrolments; 210 post-primary enrolments and 14 enrolments in special schools. As a result, these have not been included in the analysis.

## Delivering Social Change: West Belfast

**Mr Sheehan** asked the Minister of Education which primary and post-primary schools in west Belfast will be receiving additional teachers as part of the Delivering Social Change programme; and how many additional posts each of these schools will have.

**(AQW 24818/11-15)**

**Mr O'Dowd:** The tables below detail the primary and post-primary schools in the West Belfast constituency eligible to participate in the Delivering Social Change Signature Project for improving Literacy and Numeracy. The table includes the number of additional posts allocated to each school.

### Primary Schools in West Belfast Eligible to Participate

Primary School	Number of Additional Teachers Allocated
Blackmountain PS	0.5



Primary School	Number of Additional Teachers Allocated
Gaelscoil an Lonnáin	0.2
Gaelscoil na Bhfál* <sup>1</sup>	0.5
Gaelscoil na Móna	0.2 (Irish only) 0.2 (English and maths)
Harmony PS	1.0
Holy Trinity PS	1.0
Malvern PS	0.5
Scoil na Fuisioige, Twinbrook* <sup>1</sup>	0.2
Springfield PS	0.2
St Aidan's Christian Brothers' PS St Bernadette's PS* <sup>1</sup>	Allocation to be confirmed* <sup>2</sup>
St Clare's PS	1.0
St John the Baptist PS* <sup>1</sup>	1.0
St Joseph's PS (Slate Street)	1.0
St Kevin's PS,	1.0
St Kieran's PS, Poleglass	1.0
St Luke's PS, Twinbrook	0.5
St Mark's PS, Twinbrook	1.0
St Mary's PS (Divis Street)	0.5
St Oliver Plunkett PS* <sup>1</sup>	1.0
St Paul's PS	1.0
St Peter's PS* <sup>1</sup>	1.0
The Good Shepherd PS, Dunmurry	1.0

- 1 School added following the announcement of the expansion of the project at 25 June 2013.
- 2 St Aidan's Christian Brothers' PS and St Bernadette's PS are to amalgamate with effect from 1 September 2013. The agreed allocation to the new amalgamated school has yet to be confirmed.

#### Post- primary Schools in West Belfast Eligible to Participate

Post-primary School	Number of Additional Teachers Allocated
Christian Brothers Secondary	1.0
Coláiste Feirste	1.0
Corpus Christi College	1.0
De La Salle College	2.0
St Colm's High School	1.0
St Genevieve's High School	2.0
St Louise's Comp College	2.0
St Rose's High School	1.0

#### Schools: Clergy

**Lord Morrow** asked the Minister of Education how many integrated (i) primary; and (ii) post-primary schools have members of the clergy on their Board of Governors, broken down by (a) Protestant; and (ii) Roman Catholic clergy.

**(AQW 24855/11-15)**

**Mr O'Dowd:** The Department does not hold information about the numbers of integrated schools that have Protestant and Roman Catholic clergy as members on their Boards of Governors. This information will be requested from the education

and library boards in respect of controlled integrated schools and directly from grant maintained integrated schools. As most schools are now closed, I will write to you again with the information after schools reopen in September.

### Pupils: Blind/Partial Sight

**Mr McCarthy** asked the Minister of Education how many pupils who (i) are blind; or (ii) have partial sight achieved five or more GCSEs including English and Maths, in each of the last three years.

**(AQW 24862/11-15)**

**Mr O'Dowd:** The answer is contained in the table below.

Number of blind or partially sighted school leavers achieving five or more GCSEs A\*-C (inc. equivalents) including GCSE English and maths 2010 to 2012

	2009/10		2010/11		2011/12	
	Blind	Partial Sight	Blind	Partial Sight	Blind	Partial Sight
Number of school leavers achieving 5 or more GCSEs grades A*-C including English and maths	0	11	0	19	0	14
Total Number of school leavers	0	22	*	35	*	31

**Source:** School Leavers Survey

\*denotes a figure less than 5

Data excludes special and independent schools

### Pupils: Deaf/Partial Hearing

**Mr McCarthy** asked the Minister of Education how many pupils who (i) are deaf; or (ii) have partial hearing achieved five or more GCSEs including English and Maths, in each of the last three years.

**(AQW 24863/11-15)**

**Mr O'Dowd:** The answer is contained in the table below.

Number of school leavers with hearing difficulties achieving five or more GCSEs A\*-C (inc. equivalents) including GCSE English and maths 2010 to 2012

	2009/10		2010/11		2011/12	
	Deaf	Partial Hearing	Deaf	Partial Hearing	Deaf	Partial Hearing
Number of school leavers achieving five or more GCSEs grades A*-C including English and maths	7	17	5	29	5	17
Total Number of school leavers	12	45	16	70	10	39

**Source:** School Leavers Survey

Data excludes special and independent schools

### Pupils: Deaf/Partial Hearing

**Mr McCarthy** asked the Minister of Education how many pupils who (i) are deaf; or (ii) have partial hearing achieved two or more A-Levels, in each of the last three years.

**(AQW 24865/11-15)**

**Mr O'Dowd:** The answer is contained in the table below.

Number of school leavers with hearing difficulties achieving two or more A Levels A\*-E (or equivalent) 2010 to 2012

	2009/10		2010/11		2011/12	
	Deaf	Partial Hearing	Deaf	Partial Hearing	Deaf	Partial Hearing
Number of school leavers achieving 2 or more A-Levels A*-E	7	13	*	29	*	13
Total Number of school leavers	12	45	16	70	10	39

**Source:** School Leavers Survey

\*denotes a figure less than 5

Data excludes special and independent schools

## Primary Schools: Selection Criteria

**Mr Weir** asked the Minister of Education which primary schools in North Down use proximity to the school as a criterion for selecting pupils.

**(AQW 24942/11-15)**

**Mr O'Dowd:** Details of the admissions criteria which individual schools choose to adopt are available in booklets published by Education and Library Boards on their websites. For primary schools in North Down these can be viewed at:

[http://www.seelb.org.uk/schools/Procedures\\_12\\_13/PDFs/Primary/2012/ArdsN.Down.pdf](http://www.seelb.org.uk/schools/Procedures_12_13/PDFs/Primary/2012/ArdsN.Down.pdf)

## Department for Employment and Learning

### Access to Work: Travel Costs

**Lord Morrow** asked the Minister for Employment and Learning whether assistance for travel costs under Access to Work is available to people with disabilities who attend resource centres.

**(AQW 24195/11-15)**

**Dr Farry (The Minister for Employment and Learning):** The Access to Work (NI) programme, which is administered by the Department's Disability Employment Service, is an employment focussed programme, designed to help people with disabilities who are moving into economic employment or who are in work and are experiencing problems due to their disability. By its very nature, it is also designed to assist employers who may not be able to afford the supports or adjustments required to accommodate a disabled employee.

The programme is currently supporting more than 630 people with a range of disabilities and is helping these individuals to enter into or remain in employment.

The Resource Centres referred to in your correspondence come under the auspices of the Department of Health and Social Services and Public Safety and are operated by the five Health and Social Care Trusts. They are used by people who have become either mentally or physically disabled.

The key purpose of these Resource Centres is to provide a supportive and empowering environment to help the individuals overcome and remove barriers to social inclusion. Whilst employment may well be an eventual goal for some of the clients, the primary focus is on maximising a person's independence and their potential as citizens.

As such, whilst these individuals do not qualify for assistance under the Access to Work (NI) programme, the Health and Social Care Trusts do provide transport for people with disabilities to and from their respective Resource Centres.

### Wider Horizons

**Mrs Dobson** asked the Minister for Employment and Learning for his assessment of (i) the impact of Wider Horizons and its work with 18-28 year olds; and (ii) the continued work of the program in relation to assisting young people not in education, employment or training.

**(AQW 24308/11-15)**

**Dr Farry:** The Wider Horizons Programme has had a significant impact on the majority of those participants over the 25 years that it has been operational. In particular, elements such as mutual understanding and peace and reconciliation have had a major impact on the lives and development of young people from both the Protestant and Catholic sections of the community in Northern Ireland and young people from the border counties and Inner City Dublin.

I understand that it is the intention of the Board of the Fund to carry out a final evaluation of the Wider Horizons Programme based on previous evaluations and I will certainly be interested in the outcome of this to consider what elements might potentially be integrated within our Department or any other Department's future policy development given the closure of the Programme by the International Fund for Ireland in December 2013.

In addition to the activities undertaken through the Wider Horizons programme, my Department provides a range of initiatives under the Executive's 'Pathways to Success' strategy to assist young people not in education, employment or training.

Funding of £9.2 million will be made available until March 2015 for the Collaboration and Innovation Fund, to help over 5,500 young people improve their employability prospects. The eighteen projects awarded funding under this programme commenced activity in December 2012 and to date have engaged with over 650 unemployed young people. DEL also funds the Local Employment Intermediary Service (LEMIS) and the Community Family Support Programme (CFSP) pilot to help young people with diverse needs get into education, employment and training.

The Pathways for Young People Allowance was introduced to ensure there are effective incentives in place for eligible young people to participate in projects which re-engage them with learning and training programmes. Since its introduction, more than £40,664 has been paid to young people.

In addition, the Community Based Access Programme pilot commences in September 2013 and will enable 16 to 18 year olds to increase their essential skills qualifications and progress into further education or government funded training.

## Economically Inactive: Dungannon

**Ms McGahan** asked the Minister for Employment and Learning to detail (i) the number of people aged (a) 18-24; and (b) over 25 in the Dungannon district that fall into the category of being economically inactive; and (ii) the initiatives that his Department is undertaking to address this issue.

**(AQW 24421/11-15)**

**Dr Farry:** It is not possible to provide robust estimates of the number of 18-24 year olds who are economically inactive in the Dungannon District Council area due to sample size constraints in the Labour Force Survey (LFS).

The LFS indicated that there were an estimated 9,000 persons aged 25 or over who are economically inactive in the Dungannon District Council for the period January – March 2013.

My Department has a wide range of initiatives in place to help all economically inactive people in the Dungannon area find work.

The Employment Service offers Pathways to Work for people who are economically inactive due to ill health or disability. A range of back to work support is available including the Condition Management Programme and Return to Work Credit.

Steps to Work (StW) is my Department's main adult return to work programme and is available to anyone aged 18 years old or over (16 in the case of lone parents) who is unemployed or economically inactive, irrespective of whether or not they are in receipt of benefit. The programme has no upper age limit.

As part of the measures announced by The Northern Ireland Executive's Economy and Jobs Initiative my Department has introduced Step Ahead 50+ within the programme.

This temporary employment strand provides eligible participants aged 50 and over who have been out of work and in receipt of benefit for 12 months or more with the opportunity to avail of a fixed term job lasting up to 26 weeks in the Community and Voluntary Sector.

My Department's Disability Employment Service provides programmes and services to help people with disabilities to progress towards and move into employment. These include programmes such as Work Connect, Workable, Access to Work, Work Connect and the Job Introduction Scheme. All of this specialist disability provision can be accessed via the local Jobs and Benefits Office in Dungannon.

In addition, my Department provides financial assistance to Parkanaur College which provides employability training and vocational qualifications for young people with disabilities.

My Department recently introduced several new initiatives through the 'Pathways to Success' strategy to assist all young people including those who are not in employment, education or training (NEET), in the Dungannon District area and throughout Northern Ireland.

The Collaboration and Innovation Fund is designed to help those who are not in employment, education or training to improve their employability prospects. Over £9 million will be provided to eighteen organisations from the community, voluntary and educational sectors to enable them to assist 5,500 unemployed young people from December 2012 to March 2015.

In the Dungannon District area, three organisations are supported by the fund:

- South West College Connections project aims to assist 300 young people with general and specific employability barriers in the Dungannon, Coalisland, Omagh and Enniskillen areas. The project will provide early interventions such as intensive transition point provision, assessment of need, mentoring, signposting and employability workshops;
- The Appleby Trust Print Room project will deliver a specialist two year pathway to employment programme for unemployed young people with Aspergers Syndrome within the Southern Health and Social Care Trust; and
- The Training for Women Network Gateway to Progression Project provides a tailored programme of one-to-one support and group activities to engage and support young women who face a range of employability issues.

Young people residing in the Dungannon district who have a common employability barrier, such as the homeless, ex-offenders/ex-prisoners, people with a history of drug/alcohol misuse and care leavers can access the Local Employment Intermediary Service, on an outreach basis. Network Personnel based in Cookstown deliver the outreach service in the Dungannon area under the name of Source.

## Wider Horizons

**Mr McElduff** asked the Minister for Employment and Learning for his assessment of the success of the Wider Horizons project and if the withdrawal of core funding by the International Fund for Ireland provides a threat to the provision of essential training programmes for young people who are unemployed.

**(AQW 24499/11-15)**

**Dr Farry:** The Wider Horizons Programme has had a significant impact on the majority of those participants over the 25 years that it has been operational. In particular, elements such as mutual understanding and peace and reconciliation have had a major impact on the lives and development of young people from both the Protestant and Catholic sections of the community in Northern Ireland and young people from the border counties and Inner City Dublin.

I understand that it is the intention of the Board of the Fund to carry out a final evaluation of the Wider Horizons Programme based on previous evaluations and I will certainly be interested in the outcome of this to consider what elements might

potentially be integrated within our Department or any other Department's future policy development given the closure of the Programme by the International Fund for Ireland in December 2013.

The withdrawal of core funding by the International Fund for Ireland will, however, provide no threat to the provision of essential training programmes for young people who are unemployed.

### **Wider Horizons**

**Mr McElduff** asked the Minister for Employment and Learning whether his Department will intervene to ensure that the Wider Horizons project is appropriately resourced to continue its work of providing skills and training programmes for people aged 18 to 30 who are unemployed.

**(AQW 24501/11-15)**

**Dr Farry:** The Wider Horizons Programme is a programme of the International Fund for Ireland (IFI) and the decision to proceed with closure in December 2013 is entirely one for the Fund itself to make within the context of its own resources and policy decisions.

### **Business Red Tape: Review**

**Mr Swann** asked the Minister for Employment and Learning whether the recent announcement of an Executive-led review of business red tape as part of the economic package of measures will operate alongside the current Review of Employment Law. **(AQW 24529/11-15)**

**Dr Farry:** The Department's review of employment law has been included as a commitment in the Executive's Economic Strategy which was published in March 2012. The review seeks to improve the regulatory environment, by ensuring an effective employment law framework which will stimulate business confidence, while maintaining the rights of individual employees.

The Reducing Business Red Tape review, announced as part of the Economic Pact on 14 June, will build upon this and other regulatory reforms already being taken forward across the Executive. The details of this review have yet to be finalised.

The employment law review is being taken forward on the basis of Better Regulation principles, in a way which could readily contribute to any wider Executive-led review which has a focus on regulatory improvement and making it easier to do business in Northern Ireland.

### **Southern Regional College: Craigavon Newbuild**

**Mrs Dobson** asked the Minister for Employment and Learning for an update on the proposal by the Southern Regional College for a new build in Craigavon, and further to his recent statement, why proposals for a new build in Banbridge have been dropped.

**(AQW 24665/11-15)**

**Dr Farry:** The development of Further Education accommodation in Armagh, Banbridge, Lurgan and Portadown is the subject of an Outline Business Case, currently being developed by the Southern Regional College, I am advised this will be submitted to my Department by 5 July 2013.

Initial indications are that the business case will identify a preferred option which will propose: a new build on the current site in Armagh; a new build on the current site in Banbridge; and a new build, on a single Craigavon site, to replace the Lurgan and Portadown campuses. The planned redevelopment of the Banbridge facility has not been dropped.

Given the quantum of works coming forward it is likely that a phased approach will be required and this will be considered as part of the business case assessment and approval process, taking into account available funding. I expect this to be concluded by Autumn 2013.

### **Youth Employment Scheme**

**Mr Clarke** asked the Minister for Employment and Learning how many people have availed of the Youth Employment Scheme from September 2012 to date, in (i) Antrim; (ii) Ballymena; (iii) Magherafelt; and (iv) Ballymoney council areas.

**(AQW 24697/11-15)**

**Dr Farry:** Addressing youth unemployment in all areas of Northern Ireland remains a priority.

In the areas serviced by Jobs & Benefits offices located in Antrim, Ballymena, Magherafelt and Ballymoney a total of 114 young people have availed of a placement under the Youth Employment Scheme, 48 of these having secured subsidised employment. The numbers availing, broken down by individual office area is as follows: Antrim – 23, Ballymena – 31, Magherafelt – 25 and Ballymoney – 35.

In the same area a total of 200 employer agreements have been signed and 268 opportunities made available since I launched the Youth Employment Scheme in July 2012.

My Department is actively working with employers to source as many opportunities as possible across Northern Ireland. I have been encouraged by the response of employers so far (more than 1400 have signed up to the scheme) and I expect many more to come forward to offer opportunities for young people in the coming months.

The focus of the Youth Employment Scheme is on early intervention for young people aged 18 to 24 with the specific aim of helping this group gain work experience, develop additional skills and achieve recognised relevant qualifications. This scheme is specifically designed to help those young people claiming Jobseekers Allowance and who are almost ready to move into employment.

My Department recognises the need to re-skill and up-skill young people to prepare them to take advantage of the jobs that will be created when the economy begins to grow again. This approach is in line with the Executive's Economic Strategy to rebuild and rebalance the economy.

I appreciate your interest in the Youth Employment Scheme and would ask you to encourage employers and young people in your constituency to become involved.

### **Magee Campus: Crèche**

**Mr P Ramsey** asked the Minister for Employment and Learning if his Department has granted permission for the University of Ulster to change the use of the crèche facility building at Magee campus, given that EU funding was involved in its construction.

**(AQW 24740/11-15)**

**Dr Farry:** The decision on the operation of a crèche facility at the Magee campus of the University of Ulster is a matter for the University. However should the University make any changes to the use of the building in which the crèche currently operates, the Department will adhere to the clauses within the original funding letter of offer. My Department has received a request from the University of Ulster which is being carefully examined before any response.

### **Apprenticeships: Review**

**Ms McGahan** asked the Minister for Employment and Learning for an update on the review of apprenticeships and including the time frame for the report.

**(AQW 24743/11-15)**

**Dr Farry:** The review of apprenticeships, which I announced on the 11 February, is progressing well. To date, this includes:

- the establishment of an expert panel, to help inform the work of the review;
- an examination of underlying evidence base and a review of key literature pertaining to apprenticeships;
- study visits to Switzerland, Germany, Denmark and the Basque Country;
- visits to England, Scotland, Wales and the Republic of Ireland; and
- on-going engagement with a number of key stakeholders, including: businesses, Sector Skills Councils, providers and young people.

The next key stage of the review will be the call for submissions, which will launch during the summer, followed thereafter by a series of stakeholder fora, for employers, providers and other interested parties, in early September. The review's findings will be reported in the autumn.

## **Department of Enterprise, Trade and Investment**

### **G8: Impact on Trade in Enniskillen**

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact on trade in Enniskillen as a result of the G8 Summit.

**(AQW 24478/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** It is important to note that the G8 Summit has and will bring benefits to Northern Ireland, rather than to just one part of it. Northern Ireland was shown to a global audience as a positive place to live, work, visit, study, invest and do business.

While statistics are not available to determine the immediate impact on trade in Enniskillen as a result of the G8, the wider economic benefits of the G8 for Enniskillen and for Northern Ireland as a whole, are currently being assessed, a report on this assessment will be published toward the end of this year.

There are short term benefits of hosting the G8 both in the weeks leading up to the event and during the event itself. Expenditure by delegates, by international media organisations, by visitors from other events related to the G8, provide economic benefits particularly for those involved in accommodation, event management, catering and transport related activities. In addition, there are also significant benefits from the additional public expenditure directed towards running and servicing the event.

Over the longer term, the media coverage has provided a platform for further economic benefits from tourism and investment brought about by Enniskillen and Northern Ireland's increased international profile. The investment conference, due to take place this autumn and attended by the Prime Minister, provides just one example of this and it is important that we take full advantage of this opportunity.

### Start-up Loans Scheme

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment to detail (i) when the Start-up Loans scheme will be available; (ii) how it will work alongside existing access to finance initiatives; and (iii) how she intends to market the scheme. (AQW 24582/11-15)

**Mrs Foster:**

- (i) I welcome the Start-up Loans Scheme as another potential source of finance for business start-ups here. It is already available to Northern Ireland applicants via the Start-up Loans UK website ([www.startuploans.co.uk](http://www.startuploans.co.uk)).
- (ii) The Start-up Loans Scheme will need to complement the existing Invest NI Access to Finance initiatives. Currently there is potential for the scheme to overlap with elements of the Northern Ireland Small Business Loan Fund (SBLF) which was launched in February 2013. Start up businesses can apply for loans from the SBLF for up to £15,000. Successful applicants will also be provided with mentoring. It will be important that there is clarity around this potential overlap between the two funds and we will be liaising with BIS in this regard.
- (iii) The scheme is operated by delivery partners on behalf of Start-Up Loans UK. Start-Up Loans UK, and its delivery partners, market the scheme through various routes including web and social media. It is anticipated that there will be similar signposting of the scheme, including a formal launch, to raise the profile of the scheme with interested parties in Northern Ireland.

### Aerospace: R&D Projects

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment to detail the £20 million investment plan for Research and Development projects, with a particular focus on aerospace, as announced in the recent package of economic measures. (AQW 24584/11-15)

**Mrs Foster:** It is recognised within Northern Ireland and at Westminster, that aerospace is one of Northern Ireland's strategically important sectors. It is a sector that contributes significantly towards overall UK aerospace capability, which is the largest in Europe.

Subject to meeting value for money criteria and necessary approvals, including clearance under State Aid rules from the European Commission, the Northern Ireland Executive and Government at Westminster will provide a total of £20 million to Bombardier Aerospace to enhance its engine nacelles design, development and manufacturing capability and to help secure the future of this technology in the UK; and to secure UK workshare on future aircraft programmes. As the R&D grant is still in negotiation and appropriate approvals for support still need to be sought, it is inappropriate to provide further detail at this stage.

### Enterprise Zones

**Mrs Overend** asked the Minister of Enterprise, Trade and Investment for her assessment of the new way forward for Enterprise Zones announced during the recent package of economic measures. (AQW 24586/11-15)

**Mrs Foster:** The approach currently being adopted in other GB regions in terms of Enterprise Zones relates to issues such as rating, simplified planning and broadband, much of which are already devolved here. The Northern Ireland Executive has already taken action to enhance Northern Ireland's telecommunications infrastructure, reform the planning system and introduce non-domestic rating policies which support business growth across the whole of Northern Ireland.

The Enhanced Capital Allowances (ECA) element is of interest and we will wish to give consideration to the potential benefits of this offering and how it might be taken forward. This will be done in conjunction with the Finance Minister.

### Credit Unions

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment if she is aware that from 31 May 2013 some banks have imposed charges to Credit Unions which were previously exempt, and if so, to outline reasons for these charges. (AQW 24602/11-15)

**Mrs Foster:** I am not aware of the banks charging policies for credit union accounts. The choice of bank and banking service is a commercial decision for the management of each individual credit union to be taken in light of business needs and market competition.

## Wind Turbines: Employment

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment how many people are employed directly through wind energy companies or turbine providers; and what is the projected employment by 2020.

**(AQW 24605/11-15)**

**Mrs Foster:** It is estimated that around 1,300 people are working in Northern Ireland in the wind energy sector. This number is derived from industry estimates and includes a range of sub-sectors such as consultancy, construction, engineering and service industries that are involved in the wind energy market.

This level of employment is expected to rise steadily and by 2020 it is estimated that over 2,000 people will be involved in the sector due to the increased activity in the sector associated with the installation of additional 750MW of onshore wind farms currently in planning, the development of the 600MW Northern Ireland offshore wind farm off the Co Down coast and the increased development of offshore wind farms in the Irish Sea region.

## Wind Turbines: Subsidies

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment how much has been expended on (i) subsidies for wind farms and single wind turbines; and (ii) shutting down turbines; and what impact wind energy had on the 18 per cent increase in electricity charges.

**(AQW 24607/11-15)**

**Mrs Foster:**

- (i) The Northern Ireland Renewables Obligation (NIRO) is currently the main mechanism for incentivising renewables deployment including onshore wind. Under this mechanism the subsidy awarded to wind power in Northern Ireland in 2011-12 was approximately £47million. The total subsidy awarded to wind power across the UK in the same period was £865million.
- (ii) My Department does not hold details of payments in relation to compensation for wind turbines being shut down. The payments are a commercial matter between the Single Electricity Market Operator (SEMO) and the generator.
- (iii) The Utility Regulator has attributed the rise in electricity costs almost entirely to increases in wholesale gas prices.

## Invest NI: Support in Foyle

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 21910/11-15, to detail (i) the companies in the Foyle constituency area that were included in the £5.16m financial assistance in 2012/13; and (ii) the amount of financial assistance awarded to each company.

**(AQW 24615/11-15)**

**Mrs Foster:** The answer to the question has been provided on the basis of those businesses in the Foyle constituency that were offered at least £5,000 in 2012-13. For presentational purposes smaller offers have not been included. The table provides (i) a list of these businesses; and (ii) the amount of financial assistance offered to each.

### Businesses Offered at least £5,000 by Invest NI in Foyle Constituency Area (2012-13)

Name	Assistance Offered £
Allstate Northern Ireland Ltd	1,795,500
Maydown Precision Engineering Ltd	478,719
All Pipe Engineering Ltd	195,130
Diamond Corrugated Cases Ltd	164,253
8over8 Ltd	103,125
Fleming Agri-Products Ltd	98,849
MetaCompliance Ltd	97,000
Du Pont (U.K.) Industrial Ltd	94,344
City of Derry Hotel Ltd	79,097
Rural Generation Ltd	78,400
Cromer Enterprises Ltd	76,061
Bubblebum Holdings Ltd	67,991
Claims UnLtd Ltd	58,920
Qubizm Ltd	53,988



<b>Name</b>	<b>Assistance Offered £</b>
Global Equipment Spares Ltd	53,118
General Engineering Maintenance Services Ltd	50,175
Learning Pool Ltd	48,696
Nu Print Technologies Ltd	44,635
Omega Mechanical Services Ltd	44,000
Mechanical Installation & Maintenance (N.I.) Ltd	42,477
North West Independent Testing Services	41,360
Lucid Interactive Ltd	38,104
Eyespyfx Ltd	37,175
Carella Laminate Systems Ltd.	32,972
Canavan Associates Ltd	32,614
James Doherty (Meats) Ltd	31,809
Gartford Ltd	31,191
Eglinton (Timber Products) Ltd	31,140
Troll Inc Ltd	29,723
Hunter Apparel Solutions Ltd	29,600
Independent Fertilisers Ltd	28,275
NBS Engineering	27,800
IP Logic Ltd	26,968
Chocolate Clothing	26,418
360 Production Ltd	25,000
Howling Bansee Brewing Company	24,635
Loyalty Living Ltd	24,131
Dawn McLaughlin & Co	23,419
Beech Hill House Hotel Ltd	22,083
Black Market Games Ltd	21,930
Wafer Enterprises Ltd	20,065
MPA Recruitment Ltd	19,900
Canadian Clean	19,328
Poplar Design Ltd	18,800
Flite Software (N.I.) Ltd	18,474
A & E Pots Ltd	18,000
Ecoscreen Ltd	17,388
Oak Grove Cabins Ltd	15,344
One Stop Data Ltd	13,738
Jarstar Ltd	12,825
Ardmore (Co. Derry) Pre-Cast Concrete Ltd	9,296
Entertainment Ideas Online Ltd	8,420
Ebrington (NI) Ltd	8,330
Halo Pet Products Ltd	8,000
RoCo	8,000

<b>Name</b>	<b>Assistance Offered £</b>
North Atlantic RIB Marine Ltd	6,425
Lynch's Foodstores Ltd	6,226
Seagate Technology (Ireland)	5,520
Alador Ltd	5,000
Alaris Consulting Ltd	5,000
Bang on the Door Ltd	5,000
Budget Energy Ltd	5,000
Rogers Opex Consulting Ltd	5,000
Rowena Millar	5,000
<b>Total</b>	<b>4,574,904</b>

**Note:** Some offers have not been included due to data protection regulations.

An additional 157 business were offered lower levels of support totalling of £0.23million.

### **Jobs: Allstate NI**

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 21911/11-15, to detail (i) the companies that promoted the 200 new jobs in the Foyle constituency in 2012/13; and (ii) the number of jobs per company. (AQW 24617/11-15)

**Mrs Foster:** The 200 new jobs promoted in the Foyle Constituency in 2012/13 are by Allstate NI. The jobs will be created over a 3 year period. Achieving this figure will be dependent on the availability of skills in the area.

### **Golf**

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment to outline the progress that has been made on staging the (i) Irish Open, in 2015 and beyond; and (ii) Open Championship, at Royal Portrush Golf Club. (AQW 24730/11-15)

**Mrs Foster:** My Department, through the Northern Ireland Tourist Board (NITB), is committed to identifying opportunities for Northern Ireland to host major events and considering the huge success of the Irish Open in 2012, we have been following up on that success by trying to secure future tournaments and as such NITB are currently developing a Golf Strategy for Northern Ireland.

A number of meetings and discussions have taken place in terms of major golf events, these are extremely sensitive in nature therefore I am unable to provide any further information at this stage. However, I would assure you that we will continue to work hard to fulfill the major ambition to attract events, such as The Open, and will seek every available opportunity to sustain and grow the worldwide reputation of Northern Ireland as the home of great events.

### **Broadband: Usage**

**Mr B McCrea** asked the Minister of Enterprise, Trade and Investment to detail the number of people that are using fibre broadband. (AQW 24765/11-15)

**Mrs Foster:** The Department does not hold this information.

## **Department of the Environment**

### **Compliance, Improvement and Review Team**

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 20928/11-15, to provide the (i) reference numbers; (ii) locations; and (iii) descriptions of the minerals applications reviewed by the Compliance Improvement and Review Team. (AQW 22037/11-15)

**Mr Attwood (The Minister of the Environment):** The information requested is associated with an ongoing audit of minerals applications files by the Compliance, Improvement and Review Team (CIRT), which is currently at draft report stage for management comment.

I would refer the member to AQW 22040/11-15 in relation to publication.

## Councils: Elections

**Mr Spratt** asked the Minister of the Environment, given the delays in the publication of the Local Government Reorganisation Bill, the Regulations for the establishment of Statutory Transition Committees and the Commissioner's report on the District Electoral Areas, what assurances he can give that elections to shadow councils will be held in June 2014; and what provision he has made in the event of a delay in the elections in his programme for Local Government Reform.

**(AQW 22599/11-15)**

**Mr Attwood:** I actively manage the reform process, whatever my misgivings about certain elements. Based on the work to date, my conversations with other agencies and persons, the elections to the Shadow Councils will be on the 22 May 2014, the date of the European Elections. I have made clear to all the imperative of this date.

To achieve this requires any DEA inquiries to be completed and reported on before the end of the year; the Local Government Bill to be passed; the relevant NI and London regulations passed and the Chief Electoral Office to make preparations for 22 May 2014. All of this is deliverable and I, and others, work on this basis.

To this end, I have spoken to the Secretary of State, the District Electoral Areas Commissioner and the Chief Electoral Officer to stress the importance of delivering elections to the new councils on the same day as the European elections in May 2014.

The Commissioner's provisional recommendations are currently being consulted upon, with a closing date of 27 June. The Northern Ireland Office has provided an up-to date timetable for the District Electoral Areas Review. The timetable indicates that public hearings will be held in September and that the Final Report will be published in December 2013.

I am confident that there is sufficient time for the relevant legislation to be made and for the next set of local government elections to be organised for mid-2014. Therefore, I do not envisage the need for Statutory Transition Committees to be given an extended role and enhanced powers.

## Councils: Statutory Transition Committees

**Mr Spratt** asked the Minister of the Environment, given the delay in the legislation and the publication of the District Electoral Areas Commissioner's report, what provision he has made for an extended role for Statutory Transition Committees; and what additional powers they will be given.

**(AQW 22600/11-15)**

**Mr Attwood:** I actively manage the reform process, whatever my misgivings about certain elements. Based on the work to date, my conversations with other agencies and persons, the elections to the Shadow Councils will be on the 22 May 2014, the date of the European Elections. I have made clear to all the imperative of this date.

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I am confident that there is sufficient time for the relevant legislation to be made and for the next set of local government elections to be organised for mid-2014. Therefore, I do not envisage the need for Statutory Transition Committees to be given an extended role and enhanced powers.

## Maze: Planning History

**Mr Allister** asked the Minister of the Environment to detail the (i) planning history of the retained prison buildings on the Maze site; and (ii) current permitted uses, in planning terms, of these buildings.

**(AQW 22872/11-15)**

**Mr Attwood:** The Maze site was in active use as a prison from 1971 - 2000, upon which the use ceased. The site was cleared following the closure of the prison with the exception of a number of buildings within an existing compound which were retained. Five of the buildings within that compound were listed by NIEA in 2005.

I am advised by my officials that planning permission would be required for any operational development to the retained buildings, which would include extensions or external alterations, or where it is considered that a material change of the use of the buildings was taking place. Listed Building Consent would also be required where alterations or extensions to the retained listed buildings would alter their character as buildings of special architectural or historic interest.

In April 2013 planning permission and listed building consent were granted for minor works to the listed and retained buildings for disabled access, installation of combined heat and power system in the laundry building and elevational changes to the visitor building.

## Runkerry: UNESCO Comments

**Ms Lo** asked the Minister of the Environment for his assessment of the recent UNESCO comments on the Runkerry Resort, and the impact on the Giant's Causeway.

**(AQW 23601/11-15)**

**Mr Attwood:** I have made it clear that our wonderful heritage can be protected and developed. The two are not irreconcilable. I believe that the Runkerry decision demonstrates this, a decision which is also lawful given the failure on all grounds of challenge of the National Trust Judicial Review. The Runkerry decision was right in law, right in terms of protecting heritage and positive development, right given the need to build infrastructure at the great asset of the North Coast, right given economic need and worklessness and right in growing tourist numbers, and tourist jobs.

There are still a few who fail to acknowledge and accept all of this. It is clear that the big majority of people do and agree with the Runkerry decision.

I have noted the IUCN report to UNESCO. The IUCN has claimed this is an independent report prepared by their mission expert following my invitation to provide me with a report on the conservation of the World Heritage site. Therefore over the last two months I and my Department have asked on several occasions for copy of the original report forwarded to the IUCN by their mission expert who visited the Giants Causeway in February of this year. We have also asked for confirmation of whether other individuals or organisations contributed to drafting or inputting material to their report document. However every time we have asked we have been stonewalled by the IUCN. This is stonewalling the NI Government.

I welcome being held to account for my actions and decisions. I have had my views and decisions subjected to scrutiny by my Executive colleagues, by the Assembly, by the Environment Committee, by other elected representatives and by the Courts. However the IUCN refuse to provide me with a report from the expert I invited UNESCO to send here and they refuse to say who contributed to the document IUCN eventually sent to UNESCO. Accountability is an essential element of good Government and public confidence in our system of government. However IUCN, in this case, appear not to accept the need for accountability and continue to refuse to give me and my Department information that we are entitled to see and indeed which should be in the public domain. Consequently, while I have high regard for UNESCO, I have to question how IUCN have conducted themselves and why they continue to refuse to be held to account.

## Planning: Enforcement in Upper Bann

**Mrs D Kelly** asked the Minister of the Environment how many enforcement actions have been taken against businesses in rural areas of Upper Bann in each of the last three years; and to detail the nature of the actions taken.

**(AQW 23768/11-15)**

**Mr Attwood:** The Department will investigate all alleged breaches of planning control and has a general discretion to take enforcement action when it regards it as expedient to do so, having regard to the provisions of the development plan and any other material considerations.

Information held by the Department on Enforcement cases does not capture the constituency area or whether the breach is in relation to a business. Information held by the Department on enforcement is by Local Government District only and the data held is not robust enough to easily identify rural areas.

However Tables 1 and 2 below provide details of enforcement activities in the Craigavon and Banbridge Local Government Districts in the last three years.

**Table 1 Enforcement cases opened by LGD between 2010/11 and Q3 of 2012/13<sup>1</sup>**

	2010/11	2011/12	2012/13 (Q1-Q3)
Banbridge	150	86	75
Craigavon	145	87	55
<b>Total</b>	<b>295</b>	<b>173</b>	<b>130</b>

### Notes:

- 1 Enforcement cases for Q3 2012/13 is our latest published information.

**Table 2: Enforcement cases closed by LGD and closure reason between 2010/11 and Q3 of 2012/13<sup>1</sup>**

		2010/11	2011/12	2012/13 (Q1-Q3)
Banbridge	Remedied Resolved	75	12	23
	Planning Permission Granted	24	17	18
	Not Expedient	35	23	13
	No Breach	39	20	15
	Immune from Enforcement Action	8	4	4
	Appeal Allowed/Notice Quashed	1	1	0
	<b>Total</b>	<b>182</b>	<b>77</b>	<b>73</b>
Craigavon	Remedied Resolved	53	19	13
	Planning Permission Granted	29	21	25
	Not Expedient	48	30	8
	No Breach	61	28	16
	Immune from Enforcement Action	12	4	8
	Appeal Allowed/Notice Quashed	2	1	0
	<b>Total</b>	<b>205</b>	<b>103</b>	<b>70</b>
<b>Grand Total</b>		<b>387</b>	<b>180</b>	<b>143</b>

**Notes:**

1 Enforcement cases for Q3 2012/13 is our latest published information.

**Planning: Application Processing Time**

**Mr Rogers** asked the Minister of the Environment what is the average time taken to process a planning application through to completion; and what is the average time taken in each planning office.

**(AQW 23816/11-15)**

**Mr Attwood:** I am fully aware of the need for a speedy planning process to support the economy. I have implemented a number of initiatives to improve performance and have set challenging targets every year up until the transfer of planning powers to councils in 2015.

As a result of these initiatives Quarter 3 (Q3) statistics for 2012/13 indicate that planning processing times have improved across all categories of development with intermediate and minor processing times exceeding the target. The Q3 statistics indicate that performance has substantially improved in 2012/13 when compared to 2011/12 - overall average processing time to end of Q3 of 2012/13 was 17.8 weeks compared to 21.2 weeks for 2011/12. Initial management information statistics indicate that the number of applications in the system over 12 months has also substantially decreased when compared to the previous year which has impacted on the processing times for the major applications.

Tables 1 and 2 below detail the average (Median) time taken in each planning office to process applications through to completion broken down by category of application.

**Table 1 - The number of applications that were decided in 2011/12, with average (median) processing time in weeks<sup>1</sup> per LGD and grouped per planning office**

		2011/12							
		Major		Intermediate		Minor		Total	
		No. of Apps	Ave Proc time (wks) <sup>1</sup>	No. of Apps	Ave Proc time (wks) <sup>1</sup>	No. of Apps	Ave Proc time (wks) <sup>1</sup>	No. of Apps	Ave Proc time (wks) <sup>1</sup>
Belfast	Belfast	369	29.4	290	19.0	572	18.6	1,231	21.2
	<b>Total</b>	<b>369</b>	<b>29.4</b>	<b>290</b>	<b>19.0</b>	<b>572</b>	<b>18.6</b>	<b>1,231</b>	<b>21.2</b>

		2011/12							
		Major		Intermediate		Minor		Total	
		No. of Apps	Ave Proc time (wks) <sup>1</sup>	No. of Apps	Ave Proc time (wks) <sup>1</sup>	No. of Apps	Ave Proc time (wks) <sup>1</sup>	No. of Apps	Ave Proc time (wks) <sup>1</sup>
Downpatrick	Ards	162	36.1	238	29.6	194	16.4	594	25.8
	Castlereagh	74	28.2	81	22.0	191	16.0	346	18.5
	Lisburn	201	39.8	275	34.8	243	24.8	719	30.4
	North Down	92	18.1	148	16.7	253	11.6	493	14.0
	<b>Total</b>	<b>529</b>	<b>33.8</b>	<b>742</b>	<b>28.6</b>	<b>881</b>	<b>16.0</b>	<b>2,152</b>	<b>23.2</b>
Northern	Ballymoney	54	25.3	132	18.4	61	10.4	247	17.4
	Coleraine	138	19.0	201	13.6	152	7.2	491	11.6
	Derry	150	31.2	256	21.8	190	12.8	596	18.7
	Limavady	82	42.0	159	23.6	69	16.6	310	24.6
	Moyle	56	33.4	103	22.6	41	9.8	200	21.0
	Strabane	126	21.4	166	10.6	86	7.8	378	11.3
	<b>Total</b>	<b>606</b>	<b>27.4</b>	<b>1,017</b>	<b>17.2</b>	<b>599</b>	<b>10.4</b>	<b>2,222</b>	<b>16.0</b>
South Antrim	Antrim	141	11.0	228	8.6	120	5.6	489	8.0
	Ballymena	161	28.6	289	15.0	105	8.2	555	15.0
	Carrickfergus	53	25.6	69	12.6	55	8.0	177	12.6
	Larne	69	27.8	109	23.2	70	17.2	248	21.5
	Newtownabbey	104	25.5	132	21.3	148	17.8	384	19.6
	<b>Total</b>	<b>528</b>	<b>23.4</b>	<b>827</b>	<b>15.9</b>	<b>498</b>	<b>11.5</b>	<b>1,853</b>	<b>15.8</b>
Southern	Armagh	168	40.6	481	36.4	140	22.4	789	33.6
	Banbridge	108	31.0	232	23.6	106	16.4	446	23.1
	Craigavon	166	33.6	272	29.9	135	14.2	573	26.4
	Down	199	38.0	341	35.2	196	32.3	736	34.4
	Newry and Mourne	283	40.8	694	45.0	222	22.1	1,199	38.2
	<b>Total</b>	<b>924</b>	<b>35.6</b>	<b>2,020</b>	<b>35.2</b>	<b>799</b>	<b>22.8</b>	<b>3,743</b>	<b>32.2</b>
Strategic Planning	All Districts	233	43.8	36	31.2	3	29.4	272	41.6
	<b>Total</b>	<b>233</b>	<b>43.8</b>	<b>36</b>	<b>31.2</b>	<b>3</b>	<b>29.4</b>	<b>272</b>	<b>41.6</b>
Western	Cookstown	95	22.2	258	19.6	70	13.1	423	18.8
	Dungannon	166	20.6	388	10.5	113	6.8	667	10.8
	Fermanagh	234	16.3	447	10.0	160	6.4	841	10.4
	Magherafelt	116	22.2	240	15.4	100	10.0	456	15.1
	Omagh	170	26.0	369	20.8	110	9.8	649	19.8
	<b>Total</b>	<b>781</b>	<b>21.6</b>	<b>1,702</b>	<b>14.2</b>	<b>553</b>	<b>8.8</b>	<b>3,036</b>	<b>14.0</b>
<b>Total</b>		<b>3,970</b>	<b>30.4</b>	<b>6,634</b>	<b>22.4</b>	<b>3,905</b>	<b>14.8</b>	<b>14,509</b>	<b>21.2</b>

**Notes:**

- 1 The time taken to process a decision is calculated from the date on which an application is deemed valid to the date on which the decision is issued. The median is used for the average processing time.

**Table 2 -The number of applications that were decided in 2012/13 (Q1-Q3)1, with average (median) processing time in weeks2 per LGD and grouped per planning office**

		Major		Intermediate		Minor		Total	
		No. of apps	Ave Proc time (wks)2	No. of apps	Ave Proc time (wks)2	No. of apps	Ave Proc time (wks)2	No. of apps	Ave Proc time (wks)2
Belfast	Belfast	330	27.3	226	19.2	470	14.7	1,026	18.2
	<b>Total</b>	<b>330</b>	<b>27.3</b>	<b>226</b>	<b>19.2</b>	<b>470</b>	<b>14.7</b>	<b>1,026</b>	<b>18.2</b>
Downpatrick	Ards	110	20.8	214	30.5	139	14.8	463	21.0
	Castlereagh	50	32.2	71	20.2	96	13.7	217	17.0
	Lisburn	155	38.2	323	34.8	179	15.6	657	29.2
	North Down	67	19.2	87	21.6	117	13.4	271	18.0
	<b>Total</b>	<b>382</b>	<b>27.0</b>	<b>695</b>	<b>29.8</b>	<b>531</b>	<b>14.6</b>	<b>1,608</b>	<b>22.0</b>
Northern	Ballymoney	47	25.2	76	17.4	36	9.1	159	15.4
	Coleraine	115	17.4	148	15.7	104	7.2	367	13.2
	Derry	124	32.9	185	14.8	133	11.2	442	15.4
	Limavady	50	24.5	114	13.8	37	10.6	201	13.6
	Moyle	39	41.8	76	19.6	41	11.8	156	20.4
	Strabane	70	15.7	118	14.3	64	7.0	252	11.2
	<b>Total</b>	<b>445</b>	<b>24.0</b>	<b>717</b>	<b>15.8</b>	<b>415</b>	<b>9.0</b>	<b>1,577</b>	<b>14.4</b>
South Antrim	Antrim	73	11.0	132	8.7	71	5.8	276	7.6
	Ballymena	96	19.8	165	13.2	103	10.0	364	12.1
	Carrickfergus	38	17.4	36	11.2	42	10.2	116	11.2
	Larne	62	20.9	97	15.8	43	11.8	202	15.0
	Newtownabbey	88	27.9	86	17.8	105	14.8	279	17.8
	<b>Total</b>	<b>357</b>	<b>19.4</b>	<b>516</b>	<b>13.2</b>	<b>364</b>	<b>10.4</b>	<b>1,237</b>	<b>13.0</b>
Southern	Armagh	114	37.8	239	27.0	70	15.0	423	25.6
	Banbridge	90	25.8	151	15.0	74	10.2	315	15.0
	Craigavon	115	20.0	178	16.8	89	13.4	382	15.9
	Down	131	40.4	283	28.4	133	19.0	547	27.6
	Newry and Mourne	202	45.5	474	28.1	131	17.0	807	27.6
	<b>Total</b>	<b>652</b>	<b>33.3</b>	<b>1,325</b>	<b>24.0</b>	<b>497</b>	<b>15.0</b>	<b>2,474</b>	<b>22.8</b>
Strategic Planning	All Districts	182	68.5	42	36.4	0	.	224	64.7
	<b>Total</b>	<b>182</b>	<b>68.5</b>	<b>42</b>	<b>36.4</b>	<b>0</b>	<b>.</b>	<b>224</b>	<b>64.7</b>
Western	Cookstown	109	25.6	123	15.8	61	9.8	293	15.2
	Dungannon	139	13.2	189	9.0	84	6.5	412	8.6
	Fermanagh	219	15.0	239	9.4	91	5.6	549	10.4
	Magherafelt	90	17.5	188	15.7	59	11.4	337	15.0
	Omagh	158	24.7	188	13.9	85	9.4	431	14.4
	<b>Total</b>	<b>715</b>	<b>17.8</b>	<b>927</b>	<b>12.4</b>	<b>380</b>	<b>8.4</b>	<b>2,022</b>	<b>12.8</b>
<b>Total</b>		<b>3,063</b>	<b>25.8</b>	<b>4,448</b>	<b>18.7</b>	<b>2,657</b>	<b>12.0</b>	<b>10,168</b>	<b>17.8</b>

**Notes:**

- 1 2012/13 Q3 is our most recent published information and these figures are provisional.
- 2 The time taken to process a decision is calculated from the date on which an application is deemed valid to the date on which the decision is issued. The median is used for the average processing time

**Wind Turbines: Health Issues**

**Mr McNarry** asked the Minister of the Environment whether he would investigate the health issues in relation to wind farms and wind turbines raised by the Hanning-Evans article in the British Medical Journal on 10 March 2012, with a view to wind farm regulation.

**(AQW 23826/11-15)**

**Mr Attwood:** Planning Policy Statement (PPS) 18 'Renewable Energy' states that renewable energy development will be permitted provided the proposal will not result in an unacceptable adverse impact on, inter alia, public safety or human health.

Where matters of public health are raised in relation to a proposal for wind energy development, or where an assessment of scientific research in this area is required, it is my Department's practice to consult with the Public Health Agency (PHA) which possesses the relevant expertise in this area.

The PHA has previously advised my Department that the British Medical Journal article by Hanning/ Evans which you cite is an opinion piece and, although it does consider earlier research, it does not necessarily do so in a systematic manner.

In light of this the PHA advise that it should not be regarded as evidence of new scientific research in this area and does not alter the existing advice of the PHA which is that, in general, provided established guidance and best practice in relation to placement of wind turbines and mitigation measures is undertaken, there is minimal to no risk to the health of the population associated with such facilities.

**Wind Turbines: Public Consultation**

**Lord Morrow** asked the Minister of the Environment what weight his Department gives to public consultation exercises conducted by the wind turbine industry when forming policy or guidance.

**(AQW 23930/11-15)**

**Mr Attwood:** The Department encourages wind energy developers to undertake public consultation with communities likely to be affected by wind energy proposals, however no weight is attached to such consultation by the industry when formulating policy or guidance.

When developing any planning policy or guidance the Department will seek the views of all relevant stakeholders and publish draft proposals for a 12 week period of public consultation. The Department will consider all representations received before publishing the policy or guidance in final form.

**Wind Energy: Regulation and Monitoring**

**Lord Morrow** asked the Minister of the Environment how he will regulate and monitor the wind energy industry; and whether he will bring forward new legislation for regulation, given that the current ETSU-97 Guidelines are out of date and not fit for purpose in the context of the rapid rate of technological development within the industry.

**(AQW 23972/11-15)**

**Mr Attwood:** In common with the approach adopted in Britain my Department's Planning Policy Statement (PPS) 18 'Renewable Energy' recommends use of the 'Assessment and Rating of Noise from Wind Farms' (ETSU-R-97) methodology in the assessment and rating of noise from wind energy developments.

At the direction of the Department of Energy and Climate Change (DECC) in England, the ETSU-R-97 standard was recently the subject of a review by the Institute of Acoustics (IoA). Following the review the IoA published a Good Practice Guide aimed at ensuring the consistent application of the methodology.

I am satisfied that the ETSU-R-97 standard provides a reasonable degree of protection to wind farm neighbours, without placing unreasonable restrictions on wind farm development that is essential to meeting our renewable energy targets. I therefore do not intend to bring forward further legislation or policy to replace or supersede the recommended use of the ETSU-R-97 standard.

**Councils: Staff Numbers**

**Mr McKay** asked the Minister of the Environment to detail the number of people employed in councils in each year since 2007, broken down by grade.

**(AQW 23993/11-15)**

**Mr Attwood:** The information you have requested has been provided by the individual councils. 23 of the 26 council responses were able to be amalgamated, and are included in the table attached at Annex A; however, due to variances in



grading systems, the 3 remaining council responses from Lisburn City Council, Derry City Council and North Down Borough Council are attached individually at Annexes B, C and D, respectively.

North Down Borough Council was unable to provide a breakdown of grades for the 2007 – 2010 years, as it transferred to another grading system in 2011.

#### Annex A

##### 23 Council Employee Numbers Broken Down by Grade

Grade	31 Mar 2007	31 Mar 2008	31 Mar 2009	31 Mar 2010	31 Mar 2011	31 Mar 2012	31 Mar 2013
Chief Executive	20	19	21	20	22	22	22
CO/Director	115	110	113	111	102	97	95
PO 12-13	7	7	6	5	8	9	13
PO 11	6	6	8	10	10	7	6
PO 10	7	13	15	13	17	19	23
PO 9	22	22	20	25	20	18	23
PO 8	14	22	23	26	26	33	34
PO 7	73	87	92	96	99	92	93
PO 6	95	84	84	94	87	84	93
PO 5	85	97	105	106	103	102	104
PO 4	190	198	235	230	236	249	257
PO 3	194	220	207	209	213	203	202
PO 2	179	174	211	214	218	223	224
PO 1	362	369	397	401	442	434	428
PO Range	37	40	48	52	49	48	50
SO 2	343	401	372	395	371	378	418
SO1	450	425	460	467	477	481	509
Scale 6	475	469	546	565	604	607	618
Scale 5	486	548	652	648	625	628	641
Scale 4	751	874	931	1077	1125	1169	1204
Scale 3	1461	1841	1959	2045	2086	2065	2039
Scale 2	836	1320	1314	1454	1459	1470	1467
Scale 1	957	1043	1064	1052	1000	996	1011
Other	2210	1170	1022	646	729	711	725

#### Annex b

##### Lisburn City Council Employee Number Broken Down by Grade

Grade	31 Mar 2007	31 Mar 2008	31 Mar 2009	31 Mar 2010	31 Mar 2011	31 Mar 2012	31 Mar 2013
Chief Executive	1	1	1	1	1	1	1
Director	3	3	3	2	2	3	3
Assistant Director	13	14	13	13	13	14	13
Middle Management	24	24	27	33	32	33	32
Junior Management	79	83	80	91	89	83	90
Scale 5/6	16	20	20	39	37	40	50
Scale 6	5	5	5	1	1	1	1
Scale 5	25	23	21	8	7	8	10

Grade	31 Mar 2007	31 Mar 2008	31 Mar 2009	31 Mar 2010	31 Mar 2011	31 Mar 2012	31 Mar 2013
Scale 4/5	7	11	14	20	16	22	28
Scale 3/5	14	16	20	42	41	42	39
Scale 3/4	19	22	22	39	39	46	38
Scale 4	22	20	16	3	1	1	1
Scale 3	50	45	34	11	9	9	20
Scale 2/3	46	52	71	128	116	95	108
Scale 1/3	54	78	77	69	60	60	62
Scale 1/2	40	37	24	12	8	8	10
Scale 2	82	74	44	9	8	7	5
Scale 1	141	162	146	165	162	157	171
Craftsmen	14	13	13	15	15	15	13

**Annex C****Derry City Council Employee Number Broken Down by Grade**

GRADE	31 Mar 2007	31 Mar 2008	31 Mar 2009	31 Mar 2010	31 Mar 2011	31 Mar 2012	31 Mar 2013
Chief Executive	1	1	1	1	1	1	1
Deputy Chief Executive	0	0	1	1	0	0	0
Strategic Director	0	0	0	0	0	2	2
Heads of Service	0	0	0	0	0	0	3
Chief Officer	6	6	6	6	6	3	3
Deputy Chief Officer	1	1	1	1	0	0	0
Senior Assistant Chief Officer	10	8	9	10	9	9	7
Junior Assistant Chief Officer	9	16	13	11	10	10	6
Instructor	11	6	9	11	15	5	7
Scale Point 38-46	43	37	40	42	35	33	41
Scale Point 29-37	83	88	96	100	92	89	99
Scale Point 22-28	47	51	51	47	45	41	44
Scale Point 14-25	24	30	31	32	27	30	28
Scale Point 14-21	15	13	17	20	22	21	23
Scale Point 4-17	48	49	46	50	35	34	38
Scale Point 8	15	13	10	12	11	12	14
Scale Point 7	16	18	16	20	22	21	23
Scale Point 6	144	148	158	164	168	174	165
Scale Point 5	25	24	22	25	26	27	30
Scale Point 4	74	86	99	85	64	64	63
Other - Craft, fitter, mechanic, electrician, etc	16	18	16	17	15	15	15
17 year olds	13	0	1	15	3	3	3
16 year olds	0	0	0	3	1	0	0
Airport Fire Staff	26	27	25	19	0	0	0
Airport Maintenance Staff	1	1	1	1	0	0	0

GRADE	31 Mar 2007	31 Mar 2008	31 Mar 2009	31 Mar 2010	31 Mar 2011	31 Mar 2012	31 Mar 2013
Pensioners	2	2	2	2	2	2	1

**Annex D****North Down Borough Council Employee Number Broken Down by Grade**

Scales from 1 April 2007	31 Mar 2008	31 Mar 2009	31 Mar 2010	31 Mar 2011	31 Mar 2012	31 Mar 2013
Chief Executive				1	1	1
Chief Officer / PO15				1	1	1
PO 13				1	3	3
PO 12				3	1	1
PO 7						
PO 6				5	7	7
PO 5				9	8	8
PO 4				3	5	5
PO 3				2		
PO 2				7	12	11
PO 1				30	26	24
SO 2				8	8	7
SO 1				5	12	13
Salary Scale 6				51	45	41
Salary Scale 5				26	26	18
Salary Scale 4				65	77	66
Salary Scale 3				142	126	98
Salary Scale 2				23	26	31
Salary Scale 1c				17	29	20
Salary Scale 1b				50	22	35
SCP14					8	1
SCP13						1
SCP11				47	37	16
SCP10				1		
SCP 6				7		23
SCP 4				4	4	4

**Dog Control Orders**

**Mr Weir** asked the Minister of the Environment which councils have the new Dog Control Orders in place.  
(AQW 24000/11-15)

**Mr Attwood:** Clean Neighbourhoods legislation provides for a range of offences which may be prescribed in a local council Dog Control Order.

The Department issued guidance on such Dog Control Orders with effect from 1 April 2012 which makes clear that district councils may make Dog Control Orders, provided that they are satisfied that an Order is justified, and they have followed the necessary procedures.

The Department has contacted all 26 Councils and obtained the following information. (2 Councils did not respond to the Department's request for information).

**Dog Control Orders currently in place**

<b>Name of Council</b>	<b>No. of Dog Control Orders</b>	<b>Date Order came into Operation</b>	<b>Title of Order</b>
Ards	2	1/04/2013	The Fouling of Land By Dogs Ards Borough Order 2013 The Dogs Exclusion (Londonderry Park, Children's Play Area and Sports Pitches) Order 2013
Belfast	2	1/10/2012 1/04/2013	The Fouling of Land by Dogs (Belfast City Council) Order 2012 The Dogs (Specified Maximum) (Belfast) Order 2012
Down	3	1/06/2013	The Fouling of Land by Dogs (Down District) Order 2012 The Dogs on Leads Newcastle (Down District) Order 2012 The Dogs on Leads Newcastle Seashore (Down District) Order 2012
Larne	5	1/04/2013	The Fouling of Lands by Dogs (Larne Borough Council) Order 2013 The Dogs on Lead by Direction (Larne Borough Council) Order 2013 The Dogs Exclusion (Children's Play Parks and Playing Fields Larne Borough Council) Order 2013 The Dogs on Leads (Cemeteries Larne Borough Council) Order 2013 The Dogs on Leads (Carnlough, Ballygally and Browns Bay Beaches, Larne Borough Council) Order 2013
Newtown-abbey	3	1/02/2013	The Fouling of Land by Dogs (Newtownabbey Borough Council) Order 2012 The Dogs Exclusion (Newtownabbey Borough Council (Children's Play Parks and Recreation Grounds)) Order 2012 The Dogs on Leads by Direction (Newtownabbey Borough Council) Order 2012
North Down	5	1/05/2013	The North Down Borough Council (Fouling of Land by Dogs) (General ) Order 2013 The North Down Borough Council Dog Exclusion (Playgrounds) Order 2013 The North Down Borough Council Dogs on Leads by Direction (Parks and Playing Fields) Order 2013 The North Down Borough Council Dogs on Leads (Promenades and Gardens) Order 2013 The North Down Borough Council Dogs on Leads (Beaches) Order 2013

In addition to Orders already made Antrim and Strabane Councils have proposed Dog Control Order consultation exercises in progress while Belfast and Newtownabbey are currently consulting on proposals for additional Orders. Ards Council indicated that it has agreed to a further Dog Control Order coming into operation on 1.08.2013 excluding dogs from children's play areas.

Other Councils have indicated they are monitoring their public spaces and recreational areas to determine whether a specific Dog Control Order should be implemented or pointed to an intention to introduce Orders in the near future.

**Dental Services: Disposable Instruments**

**Mr Agnew** asked the Minister of the Environment whether his Department has made any assessment of the environmental impact of an increased use of single use disposable dental instruments.  
(AQW 24022/11-15)

**Mr Attwood:** The primary purpose of the hierarchy is to minimise adverse environmental effects from waste and to increase resource efficiency in waste management and policy.

As laid down in Article 4 of the Waste Framework Directive (WFD), the new waste hierarchy is a priority order for waste management to be applied as follows:

- Prevention including reuse;
- Preparing for re-use;
- Recycling;
- Other recovery, e.g. energy recovery; and
- Disposal.

The WFD allows that specific waste streams may depart from the waste hierarchy where this is justified by a life cycle assessment.

The fundamental objective of the life cycle approach, or life cycle thinking, is to be aware of, and to take into account the overall impacts (environmental, economic and social) that a product or service will have throughout its whole life i.e. "from cradle to grave". The aim of such an approach is to make decisions more transparent and from a sound basis.

DHSSPSNI is responsible for policy on dental issues in Northern Ireland. Dentists have been advised of certain circumstances where single use instruments are only to be used, such as for endodontic reamers and files, due to health considerations in the context of variant Creutzfeldt-Jakob disease. In this case the waste hierarchy is not being followed due to the consideration of health issues.

### Wind Turbines: Planning Permission

**Mr Wells** asked the Minister of the Environment what steps his Department is taking to ensure that the conditions attached to planning permissions for wind turbines are complied with.

**(AQW 24040/11-15)**

**Mr Attwood:** DoE Planning is responsible for planning control in Northern Ireland. This responsibility includes the determination of planning applications and taking whatever action considered necessary for the enforcement of planning control.

The Department adopts a proportionate approach to enforcement and compliance and as the majority of development proposals are built and operated in accordance with the conditions attached to the planning approval the Department does not routinely monitor all developments. However case officers do regularly identify developments which require proactive monitoring involving restrictive conditions such as noise limitations on wind turbine developments.

In such circumstances the Department will take reasonable steps through effective monitoring and liaison with the relevant Environmental Health Department to ensure that conditions are complied with.

Environmental Health Department officials and other consultees will also regularly alert DoE Planning of concerns in relation to the implementation of a permission granted, including compliance with conditions and the Department will take appropriate action and may serve a breach of condition notice. Failure to secure compliance with the notice is an offence and anyone found guilty of such an offence may be liable on summary conviction to a fine not exceeding £1000.

### Beaches: Blue Flag Status

**Mr Weir** asked the Minister of the Environment, given that fewer beaches have been awarded Blue Flag status this season, what action he is taking to improve the standard of beaches.

**(AQW 24119/11-15)**

**Mr Attwood:** The Foundation for Environmental Education, who run the International Blue Flag Programme, have adopted new, more stringent water quality criteria. These do not become law in the UK until 2015. Judged against the previous standards, the results would have been better, even as good as the best ever 20 previous years.

Five of our beaches lost Blue Flag between 2012 and 2013. Four of these (Downhill, Castlerock, Portrush East Strand and Cranfield Bay) were as a direct result of the new standards. There was no deterioration in water quality at these sites, with all achieving the guideline standards of the current EC Directive. Only Crawfordsburn lost its Blue Flag as a result of a slight deterioration in water quality compared to 2011. Although the Crawfordsburn River experienced some agricultural pollution problems the bathing water did still achieve the mandatory standard of the EC Directive. All five of these bathing waters are still accepted by the EC as perfectly safe for bathing, from a water quality point of view.

I have been taking forward many actions to improve the standard of beaches within the Action Plan of the Good Beach Summits. These include:

- 1 Completion of planned improvements to sewerage infrastructure at Ballyholme and Newcastle bathing waters;
- 2 Pollution source apportionment studies for bathing waters 'at risk';
- 3 Improved location information and monitoring of Combined Sewer Overflows;
- 4 Improved beach information and safety language;
- 5 Development of a Marine Litter Strategy;
- 6 Introduce a single-use carrier bag levy, to help reduce littering;
- 7 Greater publicity around enforcement, especially around littering;
- 8 Increased participation in beach award schemes;
- 9 Better beach information through the publication of Bathing Water;
10. Profiles and the launch of a dedicated web site [www.BeachNI.com](http://www.BeachNI.com)

## Landfill: Mobuoy, Londonderry

**Mr Campbell** asked the Minister of the Environment, following the recent discovery of waste at the Mobuoy area of Londonderry, when it will be possible to establish an estimated cost of the clean up; and who will be responsible for paying for the clean up.

**(AQW 24150/11-15)**

**Mr Attwood:** The investigation into both the extent of the waste deposits and their likely environmental impacts is ongoing. My priorities are to ensure the investigation is of a standard that will result in a strong legal outcome in relation to the criminal activities that have occurred. The course of this will be relevant in the determination of who will be responsible for dealing with the aftermath of this illegality. As far as possible I want to make sure that the guilty pay for their actions and that the public purse of Northern Ireland does not suffer as a result.

It is therefore not proper to begin to speculate about the identity of those who will be legally responsible – or about the methods that may need to be used to clean up. Clearly, I have tasked the Department to assess this matter, in the event that those responsible fail to live up to their legal responsibilities and notices served. At present I am ensuring that the water quality in the River Faughan is consistently under assessment and am keeping under consideration the response of those who have been served with Statutory Notices requiring leachate to be removed from the areas of illegal waste and disposed of legally.

I wish to make it very clear – any short term and longer term risks are being identified and responses put in place or will be put in place. I view this matter as a critical incident of the highest threshold – it is being managed in this way.

## Wastewater Treatment: Sewage

**Mr Swann** asked the Minister of the Environment what impact the discharge of treated sewage waste into local river courses has on the tourism potential of local angling.

**(AQW 24173/11-15)**

**Mr Attwood:** Since April 1 2007, the Northern Ireland Environment Agency has been responsible for regulating discharges from Northern Ireland Water Limited (NIWL) Waste Water Treatment Works (WWTW). Permissions (known as a Consent) have been issued to over 1100 WWTWs, 30 water treatment works and 300 sewer systems.

The conditions of each Consent are drawn up to ensure that the treated effluent can be absorbed by the receiving waterway without affecting the quality of the aquatic environment, or breaching national or European standards.

There has been a sustained improvement in the compliance of discharges from wastewater treatment works, with compliance having increased from 82% in 2005 to 92% in 2012. This has been achieved through the significant investment in our sewerage infrastructure supported by the Executive of approximately £1 billion since 2007. This investment is to set continue between 2015 and 2021, with £990 million being spent on upgrading the sewerage infrastructure in Northern Ireland. This will help provide further protection to our waterways and Northern Ireland's Fisheries.

The increase in compliance has also been underpinned by NIEA using relevant enforcement. Northern Ireland Water has been convicted in court in respect of 48 water pollution offences under the Water (NI) Order 1999, with fines levied totalling £77,400. During that period 38 Enforcement Notices and 250 Warning Letters have also been issued for water pollution offences.

I am advised that the Department of Trade, Enterprise and Investment, through the Northern Ireland Tourist Board, and in conjunction with Sport NI, has commissioned a Strategic Review of Angling in Northern Ireland.

The review will explore the constraints and opportunities in developing angling for both visitors and the home-based angling community and will make recommendations on how Northern Ireland can offer a coherent angling experience for visitors.

Sport NI is leading this review and a steering group has been established to ensure all bodies with a responsibility for angling have input into the review. This includes the Department of Culture, Arts & Leisure, the Loughs Agency, and the three recognised governing bodies, the Ulster Angling Federation, the Irish Association of Sea Anglers and the Ulster Coarse Fishing Federation.

There has been wide-ranging consultation and the results of this review will highlight the best opportunities for angling tourism at an international, national and local level and any major barriers which are restricting the development of our angling tourism.

## Wind Turbines: Planning Applications

**Mr Weir** asked the Minister of the Environment to detail the criteria used to make a decision on a planning application for a wind turbine.

**(AQW 24190/11-15)**

**Mr Attwood:** The Department assesses development proposals against all planning policies and other material considerations that are relevant to it.

Planning Policy Statement (PPS) 18 – Renewable Energy sets out the main policy considerations that the Department will take into account in assessing proposals for renewable energy and heat generating facilities.

Policy RE 1 – Renewable Energy Development is the most relevant policy used to determine wind turbine applications. Development will be permitted provided it can be demonstrated that the proposal, and any associated buildings and infrastructure, will not result in an unacceptable adverse impact on:

- (a) public safety, human health, or residential amenity;
- (b) visual amenity and landscape character;
- (c) biodiversity, nature conservation or built heritage interests;
- (d) local natural resources, such as air quality or water quality; and
- (e) public access to the countryside.

In addition, applications for wind energy development will also be required to demonstrate that all of the following that the development will not have an unacceptable impact on visual amenity or landscape character through:

- (i) the number, scale, size and siting of turbines;
- (ii) that the development has taken into consideration the cumulative impact of existing wind turbines, those which have permissions and those that are currently the subject of valid but undetermined applications;
- (iii) that the development will not create a significant risk of landslide or bog burst;
- (iv) that no part of the development will give rise to unacceptable electromagnetic interference to communications installations; radar or air traffic control systems; emergency services communications; or other telecommunication systems;
- (v) that no part of the development will have an unacceptable impact on roads, rail or aviation safety;
- (vi) that the development will not cause significant harm to the safety or amenity of any sensitive receptors<sup>1</sup> (including future occupants of committed developments) arising from noise; shadow flicker; ice throw; and reflected light; and
- (vii) that above-ground redundant plant (including turbines), buildings and associated infrastructure shall be removed and the site restored to an agreed standard appropriate to its location.

The publication 'Best Practice Guidance to Planning Policy Statement 18' and the supplementary planning guidance 'Wind Energy Development in Northern Ireland's Landscapes' will also be taken into account in assessing all wind turbine proposals.

### **Rathlin Island: Gorse Fire**

**Mr Weir** asked the Minister of the Environment what impact the recent gorse fire had on bird populations and habitats on Rathlin Island.

**(AQW 24191/11-15)**

**Mr Attwood:** Officials in the Northern Ireland Environment Agency (NIEA) visited Rathlin Island on 10 June 2013 to assess the impact of the recent gorse fire on designated environmental sites.

These investigations are ongoing but an initial assessment has confirmed that part of the fire occurred in an area which lies within the Rathlin Island Coast Area of Special Scientific Interest (ASSI), the Rathlin Island Special Protection Area and the Rathlin Island Special Area of Conservation (SAC). The fire however is thought to have affected less than 0.4% of the ASSI. The area affected is deemed to contain or have the potential to contain Maritime cliff and slope (ASSI features)/Vegetation sea cliffs of the Atlantic and Baltic coasts (SAC feature). The area impacted by the fire would equate to less than 0.7% of the feature area. It is considered that the area where the fire occurred had been dominated by gorse, bracken and bramble and that these species were not an important component of the designation feature. The most recent condition assessment showed this feature as a whole to be in favourable condition and NIEA officials consider that the fire would not alter this.

There are no recent records of qualifying bird species of the designated sites, such as seabirds or raptors, using the area where the fire occurred. NIEA officials do not expect any impacts on these birds or on the earth science features of the ASSI.

### **Councils: Staff Numbers**

**Mr Weir** asked the Minister of the Environment what is the full time equivalent of staff employed in each local council.

**(AQW 24193/11-15)**

**Mr Attwood:** The attached table represents the most up to date information held by my Department in respect of your request. The information has been extracted from individual 2011/12 council accounts, all of which have been certified, with the exception of those of Craigavon Borough Council where that process has not been finalised.

**Number of Council Employees – Full Time Equivalent 2011/2012**

<b>Council</b>	<b>2011/2012 FTE</b>
Antrim	269
Ards	389
Armagh	292
Ballymena	295
Ballymoney	116
Banbridge	237
Belfast	2,323
Carrickfergus	191
Castlereagh	354
Coleraine	306
Cookstown	209
Craigavon	*521
Derry	555
Down	338
Dungannon	257
Fermanagh	299
Larne	184
Limavady	156
Lisburn	519
Magherafelt	154
Moyle	109
Newry & Mourne	420
Newtownabbey	348
North Down	396
Omagh	282
Strabane	187
<b>Total</b>	<b>9,706</b>

\* Uncertified

**Wind Turbines: Cumulative Effects**

**Lord Morrow** asked the Minister of the Environment what guidelines his Department uses when considering the cumulative effects of wind turbines.

**(AQW 24199/11-15)**

**Mr Attwood:** Planning Policy Statement (PPS) 18 – ‘Renewable Energy’ sets out the main policy considerations that the Department will take into account in assessing proposals for renewable energy and heat generating facilities.

Policy RE 1 – Renewable Energy Developments of Planning Policy Statement (PPS) 18 – Renewable Energy is the most relevant policy used in determining wind turbine applications. In line with this policy, development that generates energy from renewable resources will be permitted provided the proposal does not result in an unacceptable adverse impact on various matters including visual amenity and landscape character. There is also a policy requirement for applications for wind energy developments to demonstrate that the development has taken into consideration the cumulative impact of existing wind turbines, those which have permissions and those that are currently the subject of valid but undetermined applications.

The publication ‘Best Practice Guidance to Planning Policy Statement 18’ and the supplementary planning guidance ‘Wind Energy Development in Northern Ireland’s Landscapes’ will also be taken into account in assessing all wind turbine proposals.



The Best Practice Guidance document provides background information on the various renewable energy technologies. Guidance contained within this document on matters such as Cumulative Landscape and Visual impacts is designed to contribute to the development management process.

The supplementary planning guidance 'Wind Energy Development in Northern Ireland's Landscapes' highlights key issues of cumulative impact that will need to be considered as wind energy development in Northern Ireland expands.

Consideration of the cumulative impact of developments is therefore an important material consideration and must always form part of any assessment. The outcome of this assessment will differ depending on the nature of each application, in particular, the location of each proposal in the landscape and its ability to absorb a number of turbines.

## Habitats Directive

**Lord Morrow** asked the Minister of the Environment when he will amend the Habitats Regulations to comply with the Court of Justice of the European Union decision in Case 256/11 (Sweetman v An Bord Pleanala); and when he will designate the remaining Priority Habitats.

**(AQW 24247/11-15)**

**Mr Attwood:** The court judgement in question concerned the interpretation of Article 6 of the Habitats Directive as applied to a decision by the Irish Planning Board to give approval to a road scheme. It did not concern any legal lacuna in the relevant Irish transposing legislation. The Department does not consider that there are any legislative implications arising from this case, therefore amending regulations are not required.

The Department has designated 57 Special Areas of Conservation (SACs) in line with the requirements of the Directive, 40 of which host priority habitats identified in the Directive. The Department considers the suite of SACs in Northern Ireland to be complete.

## Wind Farms: Rural Areas

**Lord Morrow** asked the Minister of the Environment what consideration has been given to the effect that wind farms have on rural areas; and what plans he has to protect the environment, specifically Landscape Character Areas, Areas of Outstanding Natural Beauty and Areas of Special Scientific Interest.

**(AQW 24275/11-15)**

**Mr Attwood:** My Departments Planning Policy Statement (PPS) 18 'Renewable Energy' acknowledges the potential impacts of renewable energy development on rural areas. The principal objective of the PPS is to facilitate the siting of renewable energy generating facilities within the natural environment whilst ensuring adequate protection of the Region's natural and cultural heritage features. The policy requires that such developments should not result in unacceptable adverse impact on a range of material planning factors, including visual amenity, landscape character, biodiversity and nature conservation.

While PPS 18 does not rule out wind farm development within Areas of Outstanding Natural Beauty (AONBs); Areas of Special Scientific Interest (ASSI's) or Special Areas of Conservation (SACs), it is a key policy objective to ensure that the environmental, landscape, visual and amenity impacts associated with such development are adequately addressed for these areas; and that appropriate protection is afforded to the Region's built, natural and cultural heritage features.

The Best Practice Guidance (BPG) that accompanies PPS 18 recommends a cautious approach in relation to those landscapes which are of designated significant value, such as AONB's, and their wider settings. The BPG advises that in these locations it may be difficult to accommodate wind turbines without detriment to the Region's cultural and natural heritage assets.

Where appropriate the Natural Heritage Directorate (NH) of NIEA provides advice to DOE on wind farm developments which may impact upon Northern Ireland's landscapes, including AONBs, ASSIs or SACs. The advice provided by NH assists with the appropriate location, siting, layout and design of wind farm developments in landscape and visual terms.

In addition, the Supplementary Planning Guidance document 'Wind Energy Development in Northern Ireland's Landscapes', published by NIEA, provides broad, strategic guidance in relation to the visual and landscape impacts of wind energy development within Landscape Character Areas and is to be taken into account in assessing all wind energy proposals

Furthermore, where wind farm developments are located in a "sensitive area" including AONBs, ASSIs and SACs, an Environmental Impact Assessment will be required if the development is likely to have a significant effect on the environment.

PPS 18 should be read together with the relevant contents of other planning policy publications. I will soon be bringing forward an updated Planning Policy Statement 2 'Natural Heritage' which sets out the Departments policies for the conservation, protection and enhancement of the our natural heritage, including Areas of Outstanding Natural Beauty and Areas of Special Scientific Interest.

## Wind Turbines: Local Impact

**Lord Morrow** asked the Minister of the Environment whether his Department will inform residents, within a five kilometre radius of any proposed wind farm or single turbine, in writing through the Planning Service, as opposed to the current Neighbour Notification criteria, which differs in terms of scale and impact.

**(AQW 24277/11-15)**

**Mr Attwood:** Neighbour notification is undertaken by the Department as a matter of good practice. Its purpose is to advise those who are most likely to be affected by a development proposal. As such it is established procedure to notify only the occupants of buildings that abut a planning application site and are within 90m of that site.

In addition to this scheme, planning applications are also advertised in a newspaper in circulation in the locality within which the application site is situated. All applications are also available to view on the PlanningNI website.

While, I believe the existing neighbour notification and publicity arrangements for planning applications are broadly adequate, the new Planning Bill, which I will bring before the Assembly for Consideration on 24 June, contains provisions to allow for revised publicity measures to be brought forward by way of future subordinate legislation. Such future legislation would itself be subject to public consultation and Assembly scrutiny.

### **Carrier Bag Levy: Reduction in Use**

**Mr Ross** asked the Minister of the Environment for an estimate of percentage reduction in the number of carrier bags given out at checkouts since the introduction of the single carrier bag levy.

**(AQW 24283/11-15)**

**Mr Attwood:** As my Department will not validate the first set of levy returns from retailers until the end of July 2013, no validated estimate of the percentage reduction in the number of single use carrier bags dispensed at checkouts since the introduction of the single use carrier bag levy is available.

However some retailers, both small and large, have anecdotally reported reductions in excess of 75%.

### **Carrier Bag Levy: Increase in Sales**

**Mr Ross** asked the Minister of the Environment to outline any estimates in the percentage increase in the sale of plastic bags such as bin liners or nappy bags that have been reported by retailers since the introduction of the single carrier bag levy.

**(AQW 24284/11-15)**

**Mr Attwood:** Officials from the Carrier Bag Levy Team have been working in partnership with both small and large retailers across the country to ensure compliance. To date, they have not been presented with firm or particular evidence to suggest an increase in sales of bin liners or nappy bags.

While an increase in the purchase of these substitute products is anticipated, modelling completed prior to the introduction of the levy suggests that the very substantial reduction in single use carrier bags, anticipated as a result of the levy, will produce a net environmental benefit.

### **Carrier Bag Levy: Environmental Policy**

**Mr Ross** asked the Minister of the Environment whether the single carrier bag levy is an environmental policy; and why there are no exceptions for biodegradable bags.

**(AQW 24285/11-15)**

**Mr Attwood:** The levy is first and foremost an environmental initiative. It aims to achieve real and sustained benefits to our natural environment - including reduced carbon emissions, reduced air and water pollution and reduced litter in public spaces. My objective - as stated in the Executive's Programme for Government - is to achieve a reduction of at least 80% in the use of single use carrier bags in Northern Ireland.

It is only the residual consumption of bags that will raise any revenue. The Department will use this to fund a mix of new and existing environmental programmes particularly those that deliver social and economic benefits. Again this clearly demonstrates that the levy is an environmental initiative.

I have consistently stated that I want to avoid the unnecessary use of carrier bags – regardless of the materials from which they are made. It is for this reason that biodegradable bags are presently subject to the levy. Even bags which are capable of rapid degradation have an environmental impact through their production, transport and disposal. The speed at which a bag degrades will depend on both the precise composition of the bag and on the environmental conditions to which it is exposed.

Moreover, an exemption for certain biodegradable bags could generate a major switch from other bags towards those that would qualify for this exemption. There would be no incentive for consumers to reduce the number of bags that they use – and a greater likelihood that bags would be discarded irresponsibly.

Finally it is worth noting that in both Wales and Ireland, biodegradable bags are subject to charging arrangements. However, as with all exemptions, I will keep the position under review, as I appreciate the argument though it has not prevailed in my thinking.

### **Carrier Bag Levy: Increase in Cost**

**Mr Ross** asked the Minister of the Environment what increases in the cost of a single use carrier bag are planned for each of the next five years.

**(AQW 24286/11-15)**

**Mr Attwood:** Subject to the Assembly's approval, the Carrier Bag Levy is set to increase to 10 pence from April 2014. It was always my intention that the levy would be set at 10 pence to maximise its overall environmental and economic benefits. The initial 5 pence levy, introduced on 8 April 2013, provided consumers with a period of time to adapt their shopping behaviour to the new charging arrangements.

Whilst I currently have no plans to increase the levy beyond 10 pence, a review of the Carrier Bag Levy Project will be undertaken in 2015. This review will include consideration of the amount of the levy in the context of the number of bags dispensed in 2013/14 and 2014/15.

Future increases in the levy may be required to maintain its real value, once inflation is taken into account. However, any assessment will be dependent on an analysis of the data emerging from retailer returns to the Carrier Bag Levy Team and any increase in the levy would require further legislation and Assembly approval.

## Legislation: DOE

**Mr Weir** asked the Minister of the Environment to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24296/11-15)**

**Mr Attwood:** The details of the seven further Bills that I propose to introduce to the Assembly before the end of March 2015 are contained in the attached table.

Additionally, the Marine Bill completed its legislative passage in May and the Planning Bill has completed consideration stage. At the beginning of June, I also introduced the Carrier Bag Bill to the Assembly, which will extend the Carrier Bag Levy to certain reusable bags as well as single use carrier bags.

### Department of Environment Proposed Bills up to March 2015

No	Bill	Purpose
1.	Local Government Bill	To provide for the reorganisation of local government; new governance arrangements for councils; a new ethical standards regime; the introduction of community planning powers and the power of well-being; and an updated service delivery and performance improvement regime.
2.	Road Traffic (Amendment) Bill No 1	To introduce a package of measures to tackle drink driving, reform the learner and restricted driver schemes and introduce Graduated Driver Licensing.
3.	Waste Recycling Bill	To allow for the introduction of a statutory recycling rate for local authority collected municipal waste.
4.	National Park Bill	To allow for the identification, designation and management of national parks (to be determined).
5.	The Climate Change Bill	To introduce statutory targets for greenhouse gas emissions in Northern Ireland.
6.	The Environmental Better Regulation Bill	To reduce the environmental regulatory burden on business and enhance protection of the environment.
7.	Road Traffic (Amendment) Bill No 2	To introduce mutual recognition of penalty points for motoring offences between Northern Ireland and the Republic of Ireland.

## Beaches: Cleanliness

**Mr D McIlveen** asked the Minister of the Environment what action his Department is taking to ensure that beaches remain clean, particularly after busy summer weekends.

**(AQW 24307/11-15)**

**Mr Attwood:** I am aware of the extent of littering on some beaches during the recent spell of good weather. Despite increasing efforts to reduce the littering problem by, for example, the issuing of on the spot fines, education and awareness campaigns, successful and well supported local community clean-up events and stronger Clean Neighbourhoods laws there are still people who continue to litter, spoiling the appearance of our local beauty spots and tourist attractions.

It is left to District Councils to clean up the mess left by the litterers on our beaches and in our towns, cities and countryside, at huge expense to local ratepayers. Yet it is so easy for people to bring their litter home with them in a bag after spending a day at the beach or to put their litter in a bin, yet a sizeable number of people do not take this extra small step. This is in spite of the fact that it is illegal to litter and Councils can impose on the spot fines of up to £80 for littering offences.

Councils are issuing fines for the offence of littering. In the last complete financial year District Councils issued over 3,700 fines for littering offences. I will continue to assess levels of anti-litter enforcement activity by District Councils across Northern Ireland and would expect Councils to target specific litter problem areas in their respective districts as part of their enforcement strategies.

You specifically asked about ensuring that beaches remain clean and I have indicated above that it is left to District Councils to clean up the mess. District Councils have a statutory duty, as respects relevant land for which they are responsible, to ensure that the land is, so far as is practicable, kept clear of litter.

The Department has issued a Code of Practice on Litter to provide Councils with practical guidance on the discharge of the litter clearing duty, including specific guidance on beaches. The Code makes clear that amenity beaches should, as a minimum standard, generally be kept clear of all types of litter during the traditional bathing season from 1 May to 30 September inclusive. The Code states that it is expected that during this time of the year, beaches be subject to a frequent monitoring routine and be cleansed to as practicable a standard as possible.

I fully recognise the importance of a clean and healthy coastline and I have convened a series of Beach Summits, the purpose and outcome of which is to address beach issues such as litter, water quality, signage, information, awards etc. all of which demonstrates a firm DOE commitment to beach management and coastal development.

Also, the Department is about to publish the Northern Ireland Marine Litter Strategy which is a co-ordinated response to the problem of litter on our coastline. Concerted action against those who continue to drop litter on our coastline, through education, awareness-raising and volunteering programs, along with promoting a strong system of enforcement, are key strands within the Strategy.

A change in public attitudes and behaviour towards the appropriate disposal of litter is essential to ensure beaches remain clean and litter free. A number of measures provided for within the Strategy will increase awareness of the undesirable social, economic and environmental consequences of marine litter. Existing measures include the Eco-schools and Young Reporters on the Environment programmes which are administered on behalf of the Department by Tidy NI. Also included is the Beachni.com website which launched in 2012. It provides information on our beaches including guidance on how users can minimise the social and environmental impact on beaches by encouraging visitors to not drop their litter but to bring it home with them and to clean up after their dogs.

Additional measures being brought forward under the Strategy include the development of a marine specific Rubbish Monster book and data capture measures which will be funded by Marine Division DOE.

The strategic direction provided by the Strategy will ensure that the problem is addressed at a Northern Ireland level. The Department is working closely with partners in the public, private and voluntary and community organisations to co-ordinate delivery of the Strategy and to provide support and guidance to stakeholders. It is important to highlight that partnership working is required to ensure the problem of marine litter is addressed.

The need to tackle the litter problem in Northern Ireland is ongoing. Action is being taken, new stronger Clean Neighbourhoods laws have been brought into operation, enforcement activity is increasing and the matter is constantly under review. In addition, a new Northern Ireland Marine Litter Strategy will shortly be published. I am determined to ensure that we continue to do all that we can to deal with this unsightly problem and to make Northern Ireland a cleaner and more attractive place for all of its citizens and visitors.

I am also writing specifically to the National Trust given the recent publicity around Portstewart Beach, seeking reassurances on their management of the beach and litter on the beach.

### **Carrier Bag Levy: Stock Loss**

**Mr McNarry** asked the Minister of the Environment whether he will commission a report on the stock loss within major food retail outlets one year after the introduction of the carrier bag levy, as happened in the Irish Republic.  
(AQW 24319/11-15)

**Mr Attwood:** The Carrier Bag Levy Team has been working in partnership with a broad range of food retail outlets across the country in an education and awareness capacity. The Department has not been presented with any evidence of stock loss and does not currently plan to commission a specific report on this issue. However, the legislation requires the Department to undertake periodic reviews of the levy. It is not possible or appropriate to stipulate the precise remit of any such future review at this point in time.

### **Carrier Bag Levy: Drop in Sales**

**Mr McNarry** asked the Minister of the Environment whether there are any indications of a drop in sales in retail food outlets since the introduction of the carrier bag levy.  
(AQW 24320/11-15)

**Mr Attwood:** The Carrier Bag Levy Team has been working in partnership with a broad range of food retail outlets across the country in an education and awareness capacity. To date my Department has not been made aware of any drop in sales in retail food outlets since the introduction of the levy. Such information will not be routinely provided to the Department by retailers in their quarterly returns.

### **Carrier Bag Levy: Revenue Generated**

**Mr McNarry** asked the Minister of the Environment how much revenue has been generated by the carrier bag levy to date.  
(AQW 24321/11-15)

**Mr Attwood:** As the receipts from the Carrier Bag Levy are collected on a quarterly basis, the first payments from retailers to the Department are not due until July 2013.

The Department anticipates quarterly receipts of around £425,000 in 2013/14 and will publish the actual receipts when this information becomes available.

### Carrier Bag Levy: Costs

**Mr McNarry** asked the Minister of the Environment how much it has cost to administer the carrier bag levy to date.  
(AQW 24322/11-15)

**Mr Attwood:** A budget of £533,000 has been allocated for the administration of the Carrier Bag Levy for 2013/14. £77,137 of this budget was spent between the introduction of the levy and 18 June 2013.

### Carrier Bag Levy: Drop in Pollution Levels

**Mr McNarry** asked the Minister of the Environment whether there have been any indicators of a drop in pollution levels from plastic bags since the introduction of the carrier bag levy.

(AQW 24323/11-15)

**Mr Attwood:** It is too early to provide any information on this or on any of the other potential impacts of the carrier bag levy. Details will only start to become available from July 2013 onwards, when retailers are required to make their first quarterly returns to the Department.

It will be much later in the year before we have sufficient statistical evidence from which to draw meaningful conclusions on the impact of the levy. Indeed I would suggest that the full impact will only be realised when, subject to Assembly approval, charging is extended to low cost reusable bags.

That said, anecdotal evidence suggests a very significant reduction in carrier bag usage since the introduction of the levy. This leads me to believe that the Programme for Government target of an 80% reduction may be within our reach.

### Belfast Metropolitan Area Plan

**Mr Agnew** asked the Minister of the Environment whether he intends to publish the final version of the Belfast Metropolitan Area Plan within this calendar year.

(AQW 24344/11-15)

**Mr Attwood:** Work is ongoing and at an advanced stage in relation to the content of BMAP. I always work towards creating certainty and avoiding doubt and that is the case for BMAP. I hope that the content of BMAP will be finalised shortly, the required processes completed quickly in relation to general compliance with RDS 2035, following which I will publish.

### Carrier Bag Levy: Revenue Raised

**Mr Frew** asked the Minister of the Environment to outline the environmental programmes and activities that will benefit from the revenue raised by the carrier bag levy.

(AQW 24375/11-15)

**Mr Attwood:** I intend to use the net revenue generated from the Carrier Bag Levy to support communities, businesses, voluntary organisations, charities and schools in the delivery of local environmental programmes, particularly those that deliver social and economic benefits. These include:

- The creation of a new River Restoration Fund to allow local communities, angling groups and voluntary environmental organisations to run small projects which will improve local river water quality and ecological status and thereby contribute to implementing the objectives of the EU Water Framework Directive;
- The creation of a new Sustainability Innovation Fund to support community groups, business and others who need financial support to implement initiatives which have the potential for innovation which can generate transformational environmental change;
- Increased grants from the Community Challenge Fund to deliver a range of practical, local environmental projects through a broad range of not-for-profit groups including; voluntary and community groups, schools, charities and environmental trusts;
- Increased grants from the Natural Heritage Fund to encourage the conservation and enhancement of key elements of the environment and its wildlife and provide facilities which help as wide a range of people as possible to enjoy and appreciate our natural heritage; and
- Increased grants available from the Rethink Waste Fund to promote waste prevention, reuse and recycling.

The first Carrier Bag Levy returns from retailers are due in July 2013. Once this information is received and collated, the Department will be able to conduct a full assessment of the total net revenue for 2013/14 and allocate funding to programmes and projects on the basis of this estimate.

## Vehicles: Untaxed

**Mr Givan** asked the Minister of the Environment how many untaxed vehicles were detected by the Driver and Vehicle Agency detection cameras, in each of the last three years, broken down by (i) Parliamentary constituency; and (ii) council area.

**(AQW 24394/11-15)**

**Mr Attwood:** The Agency is able to provide a breakdown of the overall total number of Automatic Number Plate Reader (ANPR) camera detections in each of the last three years. The details of which are set out in the table below:

Period	Volume
01 June 2012 – 31 May 2013	16,312
01 June 2011 – 31 May 2012	16,957
01 June 2010 – 31 May 2011	14,967
<b>Total</b>	<b>48,236</b>

**Note:** Figures were sourced from DVA information systems and are not validated DOE/DVA Official Statistics.

However, the records of such detections are stored against individual registration marks and places of detection are not stored in a way that would facilitate the breakdown of the relevant figures by parliamentary constituency or council area.

## Councils: Statutory Transition Committee, Lisburn and Castlereagh

**Mr Givan** asked the Minister of the Environment whether he will receive an all-party delegation from Lisburn City Council to discuss the formation of the Statutory Transition Committee between Lisburn and Castlereagh Councils. [R]

**(AQW 24404/11-15)**

**Mr Attwood:** I have received a number of requests from Lisburn City Council to receive an all party delegation to discuss the formation of the Castlereagh and Lisburn Statutory Transition Committee.

Lisburn City Council has an issue with the equal representation of Councillors on the Statutory Transition Committee from the constituent councils. In my view, equal representation is the most sensible approach for the purposes of conducting business between the two merging Councils in the run up to the appointment of the new Council in shadow form in mid 2014. I have already made this clear in my letter of 28 February 2013 to the Chief Executive of Lisburn City Council.

There are examples of smaller Councils merging with larger Councils where the equal representation issue has been embraced, conscious of the fact that the majority of significant decisions will take place in the shadow period by the newly elected Council members.

It must be appreciated that there is a significant amount of preparatory work to be undertaken by Statutory Transition Committees in the next 12 months for the incoming councils. It is important that the work of all the Committees is tackled on the grounds of equal representation. I have already clarified this point in the draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013, which were laid in the Assembly on 17 June 2013.

It sends out a negative message that the two Councils can not resolve this issue themselves. I would suggest the Councils try again to work this out.

## Councils: Chief Executives

**Mr Spratt** asked the Minister of the Environment, in light of his announcement on 14 June 2013 about the open competition for the Chief Executive positions in the new councils, what assurances he can give that Statutory Transition Committees and shadow councils will have powers to make the appointments of the Chief Executives and that they will be able to do so in accordance with local requirements and circumstances.

**(AQW 24418/11-15)**

**Mr Attwood:** The draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013, which were laid in the Assembly on 17 June 2013, will empower Statutory Transition Committees to appoint a chief executive to each new council district. The Regulations are subject to the draft affirmative Assembly procedure and are due to be debated in plenary and voted upon before summer recess.

Appointments to the office of chief executive must be on merit, based on fair and open competition within best practice guidelines and robust recruitment procedures. Members of each local Statutory Transition Committee will be fully involved in the appointment process, thereby ensuring local requirements and local circumstances are met.

As appointments are made during the statutory transition phase, the new councils, operating in shadow form, will have no role in the appointment of chief executives. The Department will be issuing Statutory Transition Committees with guidance on the appointment of staff to a new council.

## Councils: Chief Executives

**Mr Spratt** asked the Minister of the Environment, given the interests of existing council Chief Executives in positions in the new councils, whether Chief Executives, who are involved in the reform structures or as members of quangos and arm's-length bodies such as the Local Government Staff Commission, will have to declare any interests and remove themselves from discussions where interests are declared.

**(AQW 24419/11-15)**

**Mr Attwood:** Following my announcement on Friday 14 June 2013 to recruit chief executive designate by open competition to facilitate the change management process of the local government reform programme, there has been significant interest in the process to facilitate this.

As a matter of course, it will be necessary for those current chief executive post holders who are considering applying for the new roles, or indeed anyone else who is considering applying, to declare an interest and advise the department or its, relevant arm's length body or quango of this, to ensure that no impropriety could be inferred.

It is imperative that the entire process is equitable, fair, and transparent to ensure that the best candidates are appointed on the merit basis to the 11 new council by Statutory Transition Committees.

## Councils: Transfer of Staff

**Mr Spratt** asked the Minister of the Environment for an update on the transfer of water quality inspection employees from district councils to the Northern Ireland Environment Agency.

**(AQW 24420/11-15)**

**Mr Attwood:** The Department of Environment recognise the importance of completing the transfer of staff from the District Councils to the Northern Ireland Environment Agency. These members of Council staff form a very experienced resource that are often the only interface that members of the public will have with NIEA in their role as the front line response to pollution and proactive engagement with industry on pollution prevention.

Work is continuing to address the Human Resource and financial related matters associated with the proposed transfer. As part of this I have arranged to meet with the Chairperson of the Civil Service Commissioners for Northern Ireland to discuss the future status of the staff if they were to transfer.

I have made clear to the CSC how I believe this issue should be resolved.

## Wind Turbines: Noise Monitoring

**Lord Morrow** asked the Minister of the Environment whether (i) noise monitoring of wind farms and wind turbines will be carried out by accredited acousticians who are independent of the wind industry and are approved by the complainants; and (ii) the surveys will be conducted in a manner which will avoid any deliberate manipulation of turbine operation to reduce the acoustic emissions during testing; and whether he will make all the results, including raw data and associated sound files, available to the affected parties.

**(AQW 24437/11-15)**

**Mr Attwood:** DOE Planning is responsible for planning control in Northern Ireland. This responsibility includes the determination of applications and taking whatever action is considered necessary for the enforcement of planning control.

In dealing with any complaint in relation to unauthorised development or non-compliance with the details of a planning approval in respect of noise being generated by wind farms/wind turbines the Department will consult with Environmental Health to provide expert advice.

The alleged offender, in order to demonstrate compliance with the detail of the planning approval, may be required to submit a noise survey which would measure and report the noise impact from the wind turbine at the complainants address. DOE Planning will consult with Environmental Health for their assessment of the report and to establish if a breach of planning control has occurred.

It is not for the Department to stipulate what company is employed to carry out noise monitoring/noise reports. However, Environmental Health may provide advice as to the topics to be covered within the noise report and the relevant noise standards against which the impact of the wind farm/turbine should be assessed.

Conditions relating to noise generated by wind farms/wind turbines require that within a stipulated timescale from when a wind turbine operator is notified of a reasonable complaint that they shall undertake to carry out a noise survey which shall measure and report the noise impact. Consultation with Environmental Health, as experts, includes identification of any shortcomings within the noise report.

Any request for the release of information submitted in support of an enforcement case is considered on a case by case basis under Environmental Information Regulations 2004. A noise survey and report submitted in order to discharge a condition of planning approval is available for viewing on the Planning Portal and, by appointment in the local area planning office.

## Beaches: Additional Resources

**Mr Weir** asked the Minister of the Environment what additional resources are provided over the summer period to protect and clean beaches.

**(AQW 24462/11-15)**

**Mr Attwood:** The majority of our most popular beaches are managed by District Councils. Exceptions are Portstewart Strand, which is managed by the National Trust, and Crawfordsburn & Helen's Bay beaches, which are within Crawfordsburn Country Park and are managed by NIEA, on behalf of DOE.

At minor beaches, District Councils also provide litter bins and co-ordinate collection arrangements with volunteer groups. At our most popular beaches, Beach Management Plans and Beach Safety Plans are in place.

In practice, major beaches have litter inspection and cleaning on a daily basis during the summer months with appropriate extra provision at weekends or other predicted busy periods. All of this will be detailed within the Beach Management Plan. For example, at Crawfordsburn & Helen's Bay, the usual litter collection bins are serviced more frequently at weekends and extra skips are brought in at public holidays. Additional support staff are on call should numbers escalate in exceptional weather. These are typical of the arrangements at our most popular beaches.

Beach Safety Plans provide for risk assessments to be carried out and safety measures including signage, life belts and life guards. They also identify liaison arrangements with other agencies including the PSNI, the emergency services, other local councils and, if appropriate, NIR.

District Councils are under a legal duty to ensure that land for which they are responsible is, so far as is practicable, kept clear of litter. The Litter (Northern Ireland) Order 1994 provides councils with practical guidance on the discharge of this litter clearing duty, including specific guidance on beaches. Amenity beaches should, as a minimum standard, generally be kept clear of all types of litter during the traditional bathing season from 1 May to 30 September inclusive.

In addition, I chair quarterly meetings of the Good Beach Summit, which brings together beach operators and others with an interest in the management of our beaches. We are implementing an action plan under the headings of:

- Improving Water Quality;
- Improving Beach Cleanliness, Facilities, Management & Signage;
- Keeping the Public & Media Better Informed and
- Supporting the Coastal Economy.

The next summit is scheduled for 7 August.

I have also written to the National Trust and Coleraine Borough Council given the recent issued about Portstewart Beach.

## Mineral Extraction

**Mr Agnew** asked the Minister of the Environment why Assembly Questions that raise environmental concerns over his Department's handling of mineral extraction cases are taking so long to be answered.

**(AQW 24476/11-15)**

**Mr Attwood:** Applications for mineral extraction often raise complex issues which require a considerable amount of work to provide answers to Assembly Questions. I give careful consideration to the information provided and will provide answers when I have fully interrogated all relevant matters. I have impressed on officials the importance of providing timely responses, despite the complexity of the information required.

## Landfill: Mobouy, Londonderry

**Mr Agnew** asked the Minister of the Environment whether the illegal landfill at Mobouy Road, Derry has been allowed to take on any of the sites where his Department is dealing with retrospective planning applications to regularise unauthorised mineral extraction and where extraction has taken place over a number of years in the absence of planning permissions.

**(AQW 24477/11-15)**

**Mr Attwood:** During the processing of a number of planning applications for retrospective extraction of sand and gravel at Mobouy Road, Derry it came to the Department's attention that there had been unauthorised infilling at a number of the application sites.

Given that there was evidence of waste materials, included in the infilling, being deposited on a very large scale NIEA Environmental Crime Unit has been involved in extensive investigations. Strategic Planning Division has not taken formal enforcement action in order to ensure the NIEA criminal investigation would not be prejudiced by attempting to take separate legal action. I believe this was the right course of action.

That said, I acknowledge the issues identified generally in the question. That is why I have previously asked senior management to assess the planning history around the relevant lands and have asked Mr Chris Mills - who has been appointed to consider in a robust and fearless manner any issued in relation to the waste side of the NIEA - to do likewise on the planning sector of DOE



## Landfill: Mobouy, Londonderry

**Mr Agnew** asked the Minister of the Environment for his assessment of whether the conditions for illegal landfilling on an large scale were created by ineffectual enforcement action against unauthorised mineral extraction at Mobouy Road, Derry. (AQW 24485/11-15)

**Mr Attwood:** During the processing of a number of planning applications for retrospective extraction of sand and gravel at Mobouy Road, Derry it came to the Department's attention that there had been unauthorised infilling at a number of the application sites.

Given that there was evidence of waste materials, included in the infilling, being deposited on a very large scale NIEA Environmental Crime Unit has been involved in extensive investigations. Strategic Planning Division has not taken formal enforcement action in order to ensure the NIEA criminal investigation would not be prejudiced by attempting to take separate legal action. I believe this was the right course of action.

That said, I acknowledge the issues identified generally in the question. That is why I have previously asked senior management to assess the planning history around the relevant lands and have asked Mr Chris Mills - who has been appointed to consider in a robust and fearless manner any issued in relation to the waste side of the NIEA – to do likewise on the planning sector of DOE

## Aarhus Convention

**Lord Morrow** asked the Minister of the Environment when he plans to fully implement the Aarhus Convention. (AQW 24505/11-15)

**Mr Attwood:** The UK ratified the Aarhus Convention on 24 February 2005 and, in line with the Convention's procedures, became a full party to the Convention 90 days after that date, in May 2005.

The Convention is applied throughout Europe mostly by way of a number of EU Regulations or Directives, which are required to be transposed into domestic legislation by Member States. The most specific pieces of EU legislation which address the Aarhus Convention are the Environmental Information Directive (2003/4/EC), the Public Participation Directive (2003/35/EC) and the Industrial Emissions Directive (2010/75/EC).

The Environmental Information Directive was transposed on a UK-wide basis by way of the Environmental Information Regulations 2005, under which public authorities must make environmental information available to the public by electronic means which are easily accessible. All public authorities must also take reasonable steps to organize the environmental information they hold relevant to their functions with a view to the active and systematic dissemination of the information to the public. DOE and other government departments have achieved this by way of publication schemes which are available on the various departmental websites.

The Environmental Information Regulations also require any public authority that holds environmental information to make it available on request, as soon as possible and no later than 20 working days after the date of receipt of the request, unless there are specific circumstances which prevent a reply within the timescale or there are exceptions to disclosure as set out in Part 3 of the Regulations. There is also a right of appeal for anyone who is not content with the information they receive, through the Information Commissioner.

The Public Participation Directive (PPD) has been transposed here in a number of ways. For example, in 2009, public participation requirements were inserted after Article 19 of the Waste and Contaminated Land (NI) Order 1997 and these changes ensure that all plans and programmes, such as the Northern Ireland Waste Management Strategy and NI Waste Prevention Programme, have undergone public participation activities and consultation during development. For example, as part of the process of revising the NI Waste Management Strategy, DOE has held focus group meetings with key stakeholders in keeping with PPD requirements.

Article 31 of the Waste Framework Directive specifically requires Member States to ensure that the obligations of the PPD are applied to waste issues and this was transposed by way of Articles 19A, 19B and 19C of the Waste and Contaminated Land (NI) Order 1997. So too, do Articles 24 and 25 of the Industrial Emissions Directive, which was transposed by way of the Pollution Prevention and Control (Industrial Emissions) Regulations (NI) 2013.

In summary, by placing documents and legislation on websites, by developing publications schemes and by making public registers readily available electronically, by responding to environmental queries in a timely and informative manner, by engaging in public participation activities in environmental decision making, such as carrying out consultation exercises and by providing access to justice and by ensuring that our environmental legislation fully reflects its requirements, the Department of the Environment continually strives to ensure compliance with the Aarhus Convention.

## Flags: Enniskillen Castle

**Mr Flanagan** asked the Minister of the Environment, pursuant to AQW 11345/11-15, for an update on the equality screening of the practice of flying the St George's flag at Enniskillen Castle. (AQW 24510/11-15)

**Mr Attwood:** As stated in my answer to AQW 11345/11-15, my officials did conduct an Equality Screening of the practice of flying the St George's flag at Enniskillen Castle under the Equality Scheme for the Department of the Environment drawn

up in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998. This was published in August 2012 on my Department's website (see [http://www.doeni.gov.uk/index/information/equality\\_unit/policies\\_screened\\_out\\_-\\_july\\_to\\_september\\_2012](http://www.doeni.gov.uk/index/information/equality_unit/policies_screened_out_-_july_to_september_2012)).

The Equality Screening concluded that because 'opportunities exist for the attractiveness of the site to all visitors and staff to be discussed through mediums such as customer surveys, the Castle Management Committee and NIEA stakeholder forums, which have occurred as recently as 2010 and 2011,' and because 'the NIEA management team also operate a complaints procedure to deal with concerns or issues of the public and there has been no evidence over the years to suggest that the policy has an impact on any Section 75 group' ... 'the continuation of the custom and practice of flying the flag depicting the cross of St George from the Watergate at the Enniskillen Castle Complex does not present any quantifiable impacts on any Section 75 groups. Any concern over the flag detracting from the attractiveness to visitors from a nationalist or republican community is uncorroborated and unmeasurable'.

My departmental Equality Team reviewed the Equality Screening and concurred that it was not necessary to carry out a full Equality Impact Assessment.

I consider that if people believe there are grounds to justify any change to the practice of flying the St. George's Cross flag on the Watergate at the Castle, the historical associations of which are well explained in the Museum exhibitions, along with the Nationalist perspective of the Castle's history, that view should be explained.

For example, should Fermanagh District Council come out in support of the removal of the flag or propose its replacement, for example by the St Patrick's Cross, my decision could be reviewed.

### **MOT: Cost Increase**

**Mr Flanagan** asked the Minister of the Environment to detail the rationale behind the recent rise in the cost of an MOT test for HGV 2 axle vehicles.

**(AQW 24511/11-15)**

**Mr Attwood:** The increase in the goods vehicle test fee is to fund the compliance and enforcement activity following the implementation of the Goods Vehicles (Licensing of Operators) Act 2010.

The need for greater regulation of the goods vehicle industry, and higher levels of enforcement activity, has been called for by the industry for some years, and was a factor in the development of the Act. The industry has strongly supported the measures in the Act as important in levelling the competitive position in the industry, improving road safety, reducing the environmental impacts of goods vehicles and to tackle organised crime.

The fees related to the Act were consulted on between 5 December 2011 and 3 February 2012. There were 17 responses to the consultation, of which 14 were substantive. Of those responses, 10 supported the proposed fees, which match those levied in Britain. Those that did not, asked for a phasing of the fees, or considered that the increase charges could not be justified as the service levels here fell short of those in Britain.

In its response, the Department indicated that the compliance activity concerning goods vehicles has increased over recent years, and that further enforcement officers would be deployed following the commencement of the Goods Vehicles Act, with those additional staff funded through the compliance fee.

I am mindful of the current economic climate facing operators and this increase in fees will go some way towards creating a level playing field for compliant operators.

### **High Hedges Act: Complaints**

**Mr Weir** asked the Minister of the Environment how many complaints have been lodged under the High Hedges Act since its introduction, broken down by council area.

**(AQW 24519/11-15)**

**Mr Attwood:** The High Hedges Act (Northern Ireland) 2011 became operational on 31 March 2012 and responsibility for its implementation transferred to District Councils from that date. As the High Hedges Act has only been operational for 15 months, an evaluation has not yet been undertaken. The Department does intend to review this legislation but only after sufficient time has been given to allow its full implementation and councils have had an opportunity to gain meaningful experience of using the Act. I have requested Councils to provide the information.

### **High Hedges Act: Complaints**

**Mr Weir** asked the Minister of the Environment how many complaints lodged since the introduction of the High Hedges Act (i) were resolved by agreement between the parties involved; (ii) were dismissed; (iii) resulted in the owner being instructed to cut back the hedges or trees; and (iv) are ongoing.

**(AQW 24520/11-15)**

**Mr Attwood:** The High Hedges Act (Northern Ireland) 2011 became operational on 31 March 2012 and responsibility for its implementation transferred to District Councils from that date. As the High Hedges Act has only been operational for 15 months, an evaluation has not yet been undertaken. The Department does intend to review this legislation but only after

sufficient time has been given to allow its full implementation and councils have had an opportunity to gain meaningful experience using the Act. I am writing to Councils to request the information.

### **AQW 22334/11-15: Ariel Photographs**

**Mr Wells** asked the Minister of the Environment, pursuant to AQW 22334/11-15, whether the Downpatrick Area Planning office used ariel photographs, maps and any other methods to ascertain that the structure was in place in from the dates claimed.

**(AQW 24525/11-15)**

**Mr Attwood:** As part of the enforcement investigation in relation to this structure, the Downpatrick Area Planning Office obtained aerial photographs of the site.

However, the date that the photographs were taken could not be firmly established and therefore they could not be relied upon as evidence in the consideration of the case.

Officials therefore proceeded to issue an Information Notice to obtain information in relation to the ownership, occupation and use of the building. The information and documentation received in response to the Notice were material considerations in the case. You will be aware that the giving of false information in response to an Information Notice is an offence punishable on summary conviction by a fine. The information received was therefore accepted as being reliable and factually correct.

### **Planning: Article 40 Agreements**

**Mr Agnew** asked the Minister of the Environment to detail the number of Article 40 Planning Agreements that have been made in each year since 2000; and the value of each of the Agreements.

**(AQW 24539/11-15)**

**Mr Attwood:** Article 40 provisions enable the Department to enter into planning agreements with any person who has an estate in land for the purpose of:-

- i. Facilitating, or restricting the development or use of land in any specified way;
- ii. Requiring specified operation or activities to be carried out in, on under or over land;
- iii. Requiring the land to be used in any specified way (either indefinitely or for a period as may be specified); or
- iv. Requiring a sum or sums to be paid to the Department on a specified day or dates periodically.

The Department's database records Article 40 Agreements entered into from 2007/08. To extract records dating back to 2000 would require a manual search of all planning application files and would result in the diversion of staff from normal duties for an unreasonable period of time which would have an adverse impact on the Departments ability to provide the statutory public service for which it is obligated.

**Table 1 below shows the number of applications involving Article 40 Agreements**

<b>Business Year</b>	<b>Number of Applications involving Article 40 Agreements</b>
2007/08	15
2008/09	14
2009/10	9
2010/11	1
2011/12	3
2012/13	0
2013/14	4

There are no records of the Department receiving any costs in relation to Article 40 Agreements since 2007/08.

I believe that the opportunity for embedding community benefits in the planning system should be developed. That is why I recently convened a summit on the issue and plan a number of interventions to take this forward.

### **Belfast Metropolitan Area Plan: Bangor West**

**Mr Agnew** asked the Minister of the Environment whether the proposed Bangor West Area of Townscape Character contained in the draft Belfast Metropolitan Area Plan (BMAP) is a material consideration in planning decisions in the area; and whether greater weight will be given to the project when the final BMAP is published.

**(AQW 24543/11-15)**

**Mr Attwood:** Assessment of any planning application will be made in respect of the proposed ATC designation, the nature of objections received in respect of it and the recommendations of the Planning Appeals Commission (PAC). It is currently a material consideration, the weight of which is dependent upon the nature and location of the planning application.

As the PAC has recommended that the designation be confirmed, subject to two minor boundary amendments, the ATC designation will likely be confirmed in the adopted Plan and as such would then be afforded greater significance as a material consideration.

## **Asbestos: Disposal**

**Mr McQuillan** asked the Minister of the Environment what provision exists for the disposal of asbestos.  
**(AQW 24549/11-15)**

**Mr Attwood:** Currently there are no asbestos disposal facilities in Northern Ireland. There are three asbestos storage facilities in Antrim, Belfast and Crumlin that are permitted to store asbestos waste. These all have Waste Management Licences issued by my Department. Once a sufficient load of asbestos waste is accumulated, the waste is sent from these sites for disposal in Great Britain.

## **Wind Energy**

**Lord Morrow** asked the Minister of the Environment what is the evidence base used for determining the areas which will benefit from wind energy in proximity to specific turbines or wind farms; and whether the evidence is scientifically proven.  
**(AQW 24564/11-15)**

**Mr Attwood:** The offer of community benefits is common practice by wind energy developers across these islands. These benefits may be financial or in-kind and are provided to the host community on a voluntary, goodwill basis. They are offered outside the planning system, however and they are not a requirement of planning policy.

Nevertheless, I strongly support the idea that more communities should derive meaningful, long-term benefits from major or regionally significant developments that take place in their area.

Earlier this month my Department facilitated a Summit on this issue. The Summit brought together a range of stakeholders and provided a useful opportunity to bring ideas and actions together on how the concept of community benefits can be ethically embedded in a more comprehensive way into the planning system.

I will continue to have discussions with stakeholders in this regard and can advise that I will shortly meet with the Northern Ireland Renewable Industry Group (NIRIG) to discuss a range of matters including NIRIG's 'Community Commitment' protocol on community benefit. This protocol currently advises that the communities with an interest in the wind farm will be identified through a process of engagement involving the developer and relevant stakeholders.

Furthermore, officials from my Department are working alongside colleagues in the Department of Enterprise, Trade and Investment (DETI) through a sub-group of the DETI Sustainable Energy Interdepartmental Working Group. This sub-group has appointed consultants to make recommendations on best practice for community benefit from renewable energy in Northern Ireland. The work of the consultants is at an advanced stage and a report detailing their findings will be issued in due course.

## **Driver Licences**

**Lord Morrow** asked the Minister of the Environment whether his Department has taken note of the decision of the Court of Justice of the European Union in Case C – 545/12.  
**(AQW 24565/11-15)**

**Mr Attwood:** My Department has noted the outcome of Case C-545/12 which refers to action proposed to be taken by the European Commission against Cyprus due to delays in the implementation of the 3rd Directive (2006/126/EC) on driver licences. I understand the action has been withdrawn recently.

In terms of progress here, the requirements of the 3rd Directive were fully implemented on 19 January 2013 and the European Commission notified accordingly. Work is currently underway to implement Directive 2012/36/EU (which amends the 3rd Directive) by 31 December 2013.

## **Air Quality**

**Mr Weir** asked the Minister of the Environment what is the timescale for the proposed all-island study on air quality.  
**(AQW 24595/11-15)**

**Mr Attwood:** The proposed all island study on air quality is expected to be commissioned in summer 2013, and to report its findings by end 2013 / early 2014.

Relevant stakeholders who will be consulted will include representatives from the fuel industry, as well as those who are involved with enforcement of Smoke Control at local government level.

It is expected that a specialist independent air quality consultancy will carry out the all-island study. A project management group, consisting of DOE and DECLG officials, will commission the advertisement of invitations to submit Expressions of Interest, based on the agreed Terms of Reference for the research. The project management group will then assess the tenders received, and appoint the most suitable candidate to take forward the research.

The Terms of Reference are to be agreed between Ministers at the next meeting of the North-South Ministerial Council. Following agreement, the Terms of Reference will be made public.

The proposed study will be managed jointly by officials from DOE and DECLG.

### **Air Quality**

**Mr Weir** asked the Minister of the Environment what stakeholder groups and representative bodies will be consulted in the proposed all-island study on air quality.

**(AQW 24596/11-15)**

**Mr Attwood:** The proposed all island study on air quality is expected to be commissioned in summer 2013, and to report its findings by end 2013 / early 2014.

Relevant stakeholders who will be consulted will include representatives from the fuel industry, as well as those who are involved with enforcement of Smoke Control at local government level.

It is expected that a specialist independent air quality consultancy will carry out the all-island study. A project management group, consisting of DOE and DECLG officials, will commission the advertisement of invitations to submit Expressions of Interest, based on the agreed Terms of Reference for the research. The project management group will then assess the tenders received, and appoint the most suitable candidate to take forward the research.

The Terms of Reference are to be agreed between Ministers at the next meeting of the North-South Ministerial Council. Following agreement, the Terms of Reference will be made public.

The proposed study will be managed jointly by officials from DOE and DECLG.

### **Air Quality**

**Mr Weir** asked the Minister of the Environment to detail the composition of the group that will carry out the proposed all-island study into air quality; and who will appoint the group members.

**(AQW 24600/11-15)**

**Mr Attwood:** The proposed all island study on air quality is expected to be commissioned in summer 2013, and to report its findings by end 2013 / early 2014.

Relevant stakeholders who will be consulted will include representatives from the fuel industry, as well as those who are involved with enforcement of Smoke Control at local government level.

It is expected that a specialist independent air quality consultancy will carry out the all-island study. A project management group, consisting of DOE and DECLG officials, will commission the advertisement of invitations to submit Expressions of Interest, based on the agreed Terms of Reference for the research. The project management group will then assess the tenders received, and appoint the most suitable candidate to take forward the research.

The Terms of Reference are to be agreed between Ministers at the next meeting of the North-South Ministerial Council. Following agreement, the Terms of Reference will be made public.

The proposed study will be managed jointly by officials from DOE and DECLG.

### **Air Quality**

**Mr Weir** asked the Minister of the Environment what are the terms of reference for the proposed all-island air quality study.

**(AQW 24601/11-15)**

**Mr Attwood:** The proposed all island study on air quality is expected to be commissioned in summer 2013, and to report its findings by end 2013 / early 2014.

Relevant stakeholders who will be consulted will include representatives from the fuel industry, as well as those who are involved with enforcement of Smoke Control at local government level.

It is expected that a specialist independent air quality consultancy will carry out the all-island study. A project management group, consisting of DOE and DECLG officials, will commission the advertisement of invitations to submit Expressions of Interest, based on the agreed Terms of Reference for the research. The project management group will then assess the tenders received, and appoint the most suitable candidate to take forward the research.

The Terms of Reference are to be agreed between Ministers at the next meeting of the North-South Ministerial Council. Following agreement, the Terms of Reference will be made public.

The proposed study will be managed jointly by officials from DOE and DECLG.

## Air Quality

**Mr Weir** asked the Minister of the Environment who will chair the proposed all-island study on air quality.  
(AQW 24603/11-15)

**Mr Attwood:** The proposed all island study on air quality is expected to be commissioned in summer 2013, and to report its findings by end 2013 / early 2014.

Relevant stakeholders who will be consulted will include representatives from the fuel industry, as well as those who are involved with enforcement of Smoke Control at local government level.

It is expected that a specialist independent air quality consultancy will carry out the all-island study. A project management group, consisting of DOE and DECLG officials, will commission the advertisement of invitations to submit Expressions of Interest, based on the agreed Terms of Reference for the research. The project management group will then assess the tenders received, and appoint the most suitable candidate to take forward the research.

The Terms of Reference are to be agreed between Ministers at the next meeting of the North-South Ministerial Council. Following agreement, the Terms of Reference will be made public.

The proposed study will be managed jointly by officials from DOE and DECLG.

## National Parks

**Ms Lo** asked the Minister of the Environment to detail the progress made on establishing designated National Parks following his discussions with various interested groups and stakeholders.  
(AQW 24620/11-15)

**Mr Attwood:** I have repeatedly said that I am consulting and will continue to consult on where the DOE should go with the issue of national parks. A series of private meetings, with a wide range of people and organisations, is allowing me to hear the full range of views. At the heart of the issue is this: our heritage – built and natural – is a big part of the quality of our lives and has a role to play in relation to jobs and tourism going forward. I am doing this to identify how to positively develop the wonderful heritage assets that we have here.

The challenges that are emerging – of structural unemployment and other economic threats – need to be faced, and those who base their arguments on worst fears and exploit the concerns of others should reflect on their approach. All should join in my consultation and work out how to best proceed.

The challenge to me and to all MLAs is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity? National parks may be one way to do so, but not through a park with significant restrictions. I have made it clear that I am in favour of a national park that is tailored to our own unique circumstances, not one that is borrowed from elsewhere.

## National Parks: AONB Upgrade

**Ms Lo** asked the Minister of the Environment whether he will consider upgrading some of our Areas of Outstanding Natural Beauty to the status of National Parks by increasing the provision of resources and management.  
(AQW 24622/11-15)

**Mr Attwood:** The Department continues to provide significant support for the provision of landscape management services in many areas including those that could be candidates for national parks, should that prove to be the case. Funding to sustain landscape management bodies is provided through the NIEA Natural Heritage Grant Programme. I recently announced that it had awarded over £4 million in financial support to enhance our natural environment. In these days of financial austerity this is a significant commitment on behalf of the Department towards the protection and development of our heritage. A substantial proportion of the funding will go to bodies with responsibility for the management of AONBs. These include the Mourne Heritage Trust and the Causeway Coast and Glens Heritage Trust who co-ordinate the implementation of AONB management plans and undertake projects in their areas. NIEA has awarded additional funding to the Mourne Heritage Trust to support the development of sustainable visitor access and matched funding for a Landscape Partnership Scheme funded by Heritage Lottery Fund.

NIEA also provides significant financial support to a number of other organisations that provide landscape management services including the Belfast Hills Partnership, the Lough Neagh Partnership, Down District Council for the Strangford Lough and Lecale Partnership and Castlereagh Borough Council for the Lagan Valley Regional Park.

Further project funding has been provided through partnerships with other funders such as the local authorities, Northern Ireland Tourist Board and the Heritage Lottery Fund.

I stand by my earlier comments that the critical issue is the need for a strategic shift in resources and policy to the advantage of our natural heritage. That is what is needed and that is where all should direct attention. Part of that strategic shift is PPS2 Natural Heritage which embeds heritage protection in our planning system.

I will look at every policy, resource and legislative opportunity to promote our heritage, including rural.

## Packaging: Reduce at Source

**Mr Agnew** asked the Minister of the Environment what measures he is taking to reduce packaging at source and to make industry physically or financially responsible for taking back its products and packaging.

**(AQW 24640/11-15)**

**Mr Attwood:** On 1st January this year, I introduced an amendment to the Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 2007 (the Regulations) setting ambitious targets for the recovery and recycling of packaging. The Regulations implement the EU Directive on Packaging and Packaging Waste (94/62/EC) (the Directive) which introduced statutory producer responsibility, based on the 'polluter pays' principle, into the management of packaging material. The Directive aims to minimise the impact of packaging waste on the environment by reducing the amount of packaging used, encouraging producers to reduce packaging through innovative design and by setting minimum targets for the recovery and recycling of the waste. In recognition of the potential to optimise packaging further and address public concern about excessive packaging, the Regulations will ensure that businesses take full responsibility for packaging and packaging waste produced as a result of their commercial activities. By 2017 the Regulations will ensure that an overall packaging recovery rate of 79% and an overall recycling rate of 72.7% is achieved, well above the Directives minimum recovery target of 60% and recycling target of 55%.

The Department is also working closely with the Waste and Resources Action Programme (WRAP), an organisation funded by the Department, and in early May 2013 launched the Courtauld Commitment Phase 3 (CC3). CC3 is a voluntary agreement between WRAP, members of the British Retail Consortium, the Food and Drink Federation and manufacturing sectors that sets targets and aims, amongst other things, to improve packaging design and recyclability through the supply chain and promote packaging optimisation for all producers.

## Hydroelectric Scheme: Applications

**Mr Ó hOisín** asked the Minister of the Environment whether he has any plans to introduce spacing restrictions on the installation of hydro-electric schemes on rivers and streams.

**(AQW 24644/11-15)**

**Mr Attwood:** The Northern Ireland Environment Agency (NIEA) is the competent authority responsible for implementing the Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006. The Regulations give the Department powers to determine licence applications and enforce compliance with licence conditions through the inspection of abstraction and impounding activities within Northern Ireland (NI).

The aim of the Water Abstraction and Impoundment (Licensing) Regulations is to protect the water environment and to secure efficient and sustainable water use. These Regulations provide a consistent, environmental risk-based approach to the assessment and licensing of water abstraction and impoundment activities. The introduction of this legislation fulfilled Northern Ireland's obligation to the European Commission under the Habitats and Water Framework Directives and established a water resource management, assessment and licensing regime.

Applications for hydroelectric power proposals are assessed, in part, against the UK Technical Advisory Group Water Resource Guidance Standards (UK TAG) for Water Resources. Within the standards guidance is available on spacing and the limits for non consumptive abstractions planned for any waterbody. This technique takes account of the ecology of the waterbody as a whole and is used to assess the likely cumulative impacts of multiple applications within a single waterbody. These standards have been adopted in Scotland and Northern Ireland.

## Taxis: Single-tier Licensing

**Mr Girvan** asked the Minister of the Environment what impact the changes to licensing and regulation of taxis will have on small firms and sole traders.

**(AQW 24646/11-15)**

**Mr Attwood:** I recognise that there will be an impact on the industry, including sectors such as Belfast Public Hire (BPH) taxis and Belfast taxibuses, with the introduction of single tier licensing in 2014. Single tier licensing will mean that all taxis will be able to ply for hire in Belfast, therefore there may be encroachment on to the BPH and taxibus businesses. However, alongside the introduction of the single tier licensing, my Department will also be introducing a suite of regulations which will include provisions for a regulated maximum fare and taxi meter system which will make it mandatory for all taxis to adhere to regulated fare and meter requirements. This is currently only in place for BPH taxis and I believe that making it mandatory for all public hire taxis to have taxi meters from 2014, will help counteract the impact to those who work within the BPH and taxibus sectors.

Taxi vehicle regulations will also be implemented under the regulations, which will include a wheelchair accessibility specification to provide safeguards and assurances to the disabled public, and a separate licensing regime for contracted services such as limousines and wedding cars. The separation of contracted services from the rest of the industry will help to differentiate the different type of service offered from a standard taxi service, whilst ensuring that these services are regulated and safe for consumers to use. People providing contracted services will also not have to purchase a roof sign or taxi meter to pass a vehicle inspection test, hence creating savings for this particular sector.

My Department will be consulting over the summer on the proposal to introduce a driving test for new drivers and periodic training for all taxi drivers. Periodic training would mean that all taxi drivers would have the same training requirements to meet, regardless of whether they were part of a large taxi company or if they operated as a sole trader. They may also apply to become training providers and provide their training in-house to their own drivers. Sole traders can group together to arrange training and I would encourage them to do so.

The maximum fare regulations will set a maximum fare that takes account of these costs to taxi operators and drivers, and allow them to cover the costs in fares whilst providing an improved service to customers.

Other businesses indirectly affected by the introduction of the taxi reform programme will be shops, cafes, restaurants, bars and nightclubs. A regulated, safer and more fit for purpose taxi industry will enable the public to get a taxi when they need it without having to worry about the restrictions on different types of taxi, illegal taxis and poor customer service for able and disabled passengers. This is likely therefore to mean increased usage of taxis by customers, which may indirectly help the businesses listed benefit from more patronage as customers would find it easier and more appealing to travel.

My Department will continue to work closely with the taxi industry so that they can effectively respond to the reform of their industry. That is why I am putting together a programme to assist, for example, BPH sustain and develop their business model. It should also be noted that the Taxi Act is the will of the Assembly and that the Committee, at nearly all times, has been pressing me to speed up implementation of the legislation.

### Judicial Review: DOE Cases

**Mr Lunn** asked the Minister of the Environment how many Judicial Review cases have been taken against his Department in each of the last three years; and to detail the cost to his Department of this litigation in each year.

**(AQW 24654/11-15)**

**Mr Attwood:** The table below provides details of the number of Judicial Review cases taken against the Department as well as the costs of Judicial Review cases over the three year period 2010/11 to 2012/13.

Business Area	2010/11		2011/12		2012/13	
	Number	Costs £'m	Number	Costs £'m	Number	Costs £'m
Department (excluding agencies)	10	1.38	7	0.73	15	0.49
Northern Ireland Environment Agency	-	-	1	0.02	-	-
Driver and Vehicle Agency	-	-	1	0.03	-	-
<b>Total</b>	<b>10</b>	<b>1.38</b>	<b>9</b>	<b>0.78</b>	<b>15</b>	<b>0.49</b>

### Enforcement: PSNI/DVA Operations

**Mr Dallat** asked the Minister of the Environment (i) on how many occasions, in each of the last three years, have PSNI and Driver and Vehicle Agency personnel operated joint operations to detect defects in heavy commercial vehicles; (ii) how many defects were found; and (iii) what action was taken.

**(AQW 24668/11-15)**

**Mr Attwood:** The Driver and Vehicle Agency (DVA) has primary responsibility for enforcing legal requirements governing the operation of goods vehicles within Northern Ireland and on occasions its officers work jointly with other agencies including PSNI.

The following table details the number of operations carried out by DVA jointly with PSNI in each of the last three years, the number of defects found and the action taken. These figures are not validated DVA/DOE Official Statistics.

	2010/11	2011/12	2012/13
Number of Joint Roadside Operations	25	27	33
Number of Inspections	192	191	175
Number of Defects	216	196	158
Number of Operator Prosecution Files	44	47	13
Number of Driver Prosecution Files	24	40	28
Number of Fixed Penalty Tickets Issued	0*	32	63
Number of Prohibition Notices Issued	121	130	135

\* DVA Enforcement Officers did not begin issuing Fixed Penalty Tickets until April 2011



### Goods Vehicles: Major Defects

**Mr Dallat** asked the Minister of the Environment how many goods vehicles, registered outside Ireland and Britain, have been detected with major defects in the last five years; and how many of these vehicles were detained.

**(AQW 24669/11-15)**

**Mr Attwood:** Records are only available for the period 1st April 2010 to 31st March 2013 and during this three year period there have been no goods vehicles, registered outside Ireland or Britain, detected with major defects by DVA Enforcement Officers.

### Goods Vehicles: PSV Inspection

**Mr Dallat** asked the Minister of the Environment how many goods vehicles have failed the PSV inspection in the last five years, broken down by test centre.

**(AQW 24672/11-15)**

**Mr Attwood:** The number of Heavy Goods Vehicles that failed a vehicle inspection in the last five years (1 April 2008 to 31 March 2013), broken down by test centre is set out in the table below.

Test Centre	Number of Fails
Armagh	3,620
Ballymena	3,270
Balmoral	1,996
Coleraine	2,710
Cookstown	4,844
Craigavon	2,329
Downpatrick	1,640
Enniskillen	3,250
Larne	1,376
Lisburn	2,477
Mallusk	4,847
New Buildings	3,025
Newry	4,979
Newtownards	2,649
Omagh	2,291
Overall	45,303

**Notes:**

- 1 The above data Includes Full Tests, Retests, Partial Enforcement Acquittals, Full Enforcement Acquittals and Retests for Emissions Only.
- 2 The above data does not include Failed To Attends.
- 3 These are DVA/DOE Official Statistics.

### Wind Turbines: Hanning/Evans Article

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 24104/11-15, despite the Hanning/Evans article being regarded as opinion, but in light of the authors' expertise, whether he will investigate if considerations should be given to this article.

**(AQW 24683/11-15)**

**Mr Attwood:** As I indicated in my previous response, where matters of public health are raised in relation to a proposal for wind energy development, or where an assessment of scientific research in this area is required, it is my Department's practice to consult with the Public Health Agency (PHA) which possesses the relevant expertise in this area

Officials from my Department have again sought advice from the PHA in respect of the Hanning / Evans article. The PHA have restated their position that it does not alter the previous advice of the PHA which is that, in general, provided established guidance and best practice in relation to placement of wind turbines and mitigation measures is undertaken, there is minimal to no risk to the health of the population associated with such facilities.

## Belfast Metropolitan Area Plan

**Mr Girvan** asked the Minister of the Environment why has the Belfast Metropolitan Area Plan not been published, given that the public enquiry has been completed and passed to his Department.

**(AQW 24720/11-15)**

**Mr Attwood:** I took the unprecedented step of publishing draft BMAP in early 2012 when the full report was received from the PAC. I plan to publish BMAP when the relevant processes are concluded shortly, including following the issue of a certificate of general compliance with the RDS 2035. I should also confirm that I unambiguously stand by the advice I provided on the retail element of BMAP to the now aborted Sprucefield Inquiry.

## DOE Underspend

**Mr McQuillan** asked the Minister of the Environment what was his departmental underspend in the last financial year.

**(AQW 24753/11-15)**

**Mr Attwood:** The table below sets out the 2012/13 provisional outturn position for the Department.

	Final Plan £k	Provisional Outturn £k	Underspend (-) /Overspend (+) £k	Underspend (-) /Overspend (+) %
Resource Expenditure	131,626	130,939	(687)	(0.5)
Capital Expenditure	7,558	7,522	(36)	(0.5)

These percentages are widely viewed as how I pressed the Department to achieve this outcome though I believe there is yet some more to achieve.

## Landfill: Mobouy, Derry

**Mr Agnew** asked the Minister of the Environment whether his Department has vested, or intends to vest, any of the land comprising the illegal landfill site at Mobouy Road, Derry; and whether as a result, his Department has inherited, or risks inheriting, any public liability for the decontamination of this land.

**(AQW 24787/11-15)**

**Mr Attwood:** My Department has no plans to vest the lands comprising the illegal landfill site. I am committed to compelling the clean-up of the Mobouy Road site and remain committed that this can be achieved through our use of stringent European legislation (including the Environmental Liability Directive) to compel the responsible parties to deal with the waste. This legislation has many components related to the land itself and the position is continually being assessed.

The Department will use all the legal powers at its disposal to the fullest extent to ensure that the site is cleaned up. Safeguarding local residents' health and well-being and ensuring the environment is restored, as far as possible, to its natural state is my number one priority. I hope that this legislation will see any alleged offenders made to pay for their actions.

## Quarry and Aggregate Sites: Prohibition Notices

**Mr McGlone** asked the Minister of the Environment to list the prohibition notices that were issued to quarry and aggregates sites in (i) 2011; and (ii) 2012 by the (a) Northern Ireland Environment Agency Water Management Unit; (b) Planning Service; and (c) Industrial Pollution and Radiochemical Inspectorate.

**(AQW 24791/11-15)**

**Mr Attwood:** Enforcing authorities can issue a range of statutory notices depending on the relevant legislation. These have different titles and may require some form of corrective action or may temporarily prohibit or suspend part of an operation. For completeness information on all relevant notices has been included.

The Industrial Pollution and Radiochemical Inspectorate regulates emissions to air from quarries where crushing and screening of minerals is carried out. There are currently 143 such installations permitted under the Pollution Prevention and Control Regulations (Northern Ireland) 2003.

In 2011 and 2012 IPRI issued the following Enforcement Notice to a quarry.

Installation	Operator	Notice Type	Date
PPC0064/08B	Navan Quarries	Enforcement	14/02/2012

Under the Water (Northern Ireland) Order 1999, the consent of the Department of the Environment is required to discharge trade or sewage effluent to a waterway or water contained in underground strata. This includes the discharge of effluent from domestic septic tanks.

The following Notices were issued by NIEA Water Management Unit (WMU) as the consent holders had exceeded the limits of their Water Order Consents on more than one occasion or by a quantity that was deemed to pose a significant risk of pollution, or both.

Consent Holder	Notice Type	Date Issued
G Ross & Son	Enforcement	28/02/2011
Joseph Barrett and Sons Ltd	Enforcement	05/08/2011
R Hogg & Sons Ltd	Enforcement	08/08/2011
Patrick Bradley Ltd	Enforcement	14/05/2012
Lisburn Envirocare	Enforcement	11/06/2012

Planning Division issued the following notices for reporting year April 2011-March 2012 and April to December 2012.

Reference	Operator/Owner	Type	Served
K/2010/0079CA	Seamus McAnenly	Breach of Conditions	11/05/2011
J/2006/0112CA	Riddles Bros Ltd	Breach of Conditions	30/11/2011
K/2010/0014CA	Patt Dobbs	Breach of Conditions	30/11/2011
K/2010/0065CA	John Loughran	Breach of Conditions	30/11/2011
J/2008/0081CA	Riddles Bros Ltd	Temporary Stop	21/12/2011
A/2012/0016CA	Trevor Mulhern	Temporary Stop	25/04/2012
E/2009/0071CA	Mr Seamus Hill	Enforcement	25/07/2012
E/2009/0071CA	Mr Seamus Hill	Stop	25/07/2012
C/2005/0115CA	Armoy Homes Ltd	Breach of Conditions	26/07/2012
J/2012/0008CA	Gregory Donnelly	Breach of Conditions	27/07/2012
K/2012/0017CA	Christopher McCoy	Breach of Conditions	27/07/2012
J/2012/0045CA	Tyrone Sand and Gravel	Temporary Stop	24/08/2012
L/2012/0106CA	Dean Public Works	Breach of Conditions	11/10/2012
K/2012/0094CA	Martin McCrystal	Temporary Stop	25/10/2012
A/2008/0094CA	Tony Harley and Sons	Enforcement	13/11/2012
J/2011/0005CA	Lindsay Woods	Enforcement	13/11/2012

### Quarry and Aggregate Sites: Prosecutions

**Mr McGlone** asked the Minister of the Environment to list the prosecutions taken against quarry and aggregates sites in (i) 2011; and (ii) 2012 by the (a) Northern Ireland Environment Agency Water Management Unit; (b) Planning Service; and (c) Industrial Pollution and Radiochemical Inspectorate.

**(AQW 24792/11-15)**

**Mr Attwood:** The Industrial Pollution and Radiochemical Inspectorate (IPRI) regulates emissions to air from quarries where crushing and screening of minerals is carried out. There are currently 143 such installations permitted under the Pollution Prevention and Control Regulations (Northern Ireland) 2003.

In 2011 and 2012 IPRI took no prosecutions against quarry or aggregate sites.

Under the Water (Northern Ireland) Order 1999, the consent of the Department of the Environment is required to discharge trade or sewage effluent to a waterway or water contained in underground strata. This includes the discharge of effluent from domestic septic tanks.

The Northern Ireland Environment Agency Water Management Unit (WMU) administers a system of discharge consents which specify conditions relating to the quality and quantity of effluent that may be discharged. The conditions are formulated to ensure that the discharge can be sustained by the receiving waterway without damage to the aquatic environment and without breaching national or EU Directive standards.

The table below details the prosecutions for quarry and aggregates sites taken by WMU in 2011 and 2012.

Date of Incident	Defendant name	Date of Conviction	Fine
30/01/2009	Seamus McAnenly	14/01/2011	£12,500
28/06/2010	McGarrity Bros Limited	11/03/2011	£2,500

Date of Incident	Defendant name	Date of Conviction	Fine
14/10/2008	W. & J. Taggart (Quarries) Ltd	16/06/2011	£3,000

Planning Division has taken the following prosecutions for reporting year April 2011 – March 2012 and April to December 2012.

Reference	Offender	Offence	Court Date
K/2010/0092CA	Seamus McAnenly	Submission Notice	09/11/2012
L/2009/0053CA	Gareth Timoney	Submission Notice	06/06/2012

## National Parks

**Mr Weir** asked the Minister of the Environment whether the proposals on the designation of National Parks has been formally abandoned.

**(AQW 24807/11-15)**

**Mr Attwood:** I have repeatedly said that I am consulting and will continue to consult on where the DOE should go with the issue of national parks. A series of private meetings, with a wide range of people and organisations, is allowing me to hear the full range of views. At the heart of the issue is this: our heritage – built and natural – is a big part of the quality of our lives and has a role to play in relation to jobs and tourism going forward. I am doing this to identify how to positively develop the wonderful heritage assets that we have here.

The challenges that are emerging – of structural unemployment and other economic threats – need to be faced, and those who base their arguments on fear and exploit the concerns of others should reflect on their approach. All should join in my consultation and work out how to best proceed.

The challenge to me and to all MLAs is to ask ourselves – what more can we do to help people who are out of work into work, giving them jobs and dignity? National parks may be one way to do so, but not through a park with significant restrictions. I have made it clear that I am in favour of a national park that is tailored to our own unique circumstances, not one that is borrowed from elsewhere

## Taxis: Illegal Use

**Mr Elliott** asked the Minister of the Environment what action he is taking to clamp down on illegal taxis; and the illegal use of taxis.

**(AQW 24833/11-15)**

**Mr Attwood:** The Driver and Vehicle Agency has primary responsibility for the licensing and enforcement of taxis and taxi operators. The Agency has been proactive in targeting a wide range of illegal activity, including responding to complaints from the industry.

The Enforcement Section continues to use intelligence led enforcement to ensure that resources are directed at pursuing the illegal side of the industry and habitual and high risk offenders. There is an ongoing programme of overt and covert operations directed at detecting those who operator illegally. Where an offence is detected, officers will issue prohibition notices, fixed penalty notices or prepare a report with a view to prosecution.

Staffing levels across the Section have now been increased and there are currently 18 officers dedicated to PSV enforcement, allowing for greater focus on all forms of illegal activity in this area.

Since the introduction of taxi operator licensing on 1st September 2012, the Agency has taken progressive and measured enforcement steps to encourage operators to acquire the requisite licenses. The Agency is now in the final phase of its compliance strategy that will include taking prosecution action against anyone, who without reasonable excuse, is detected operating a taxi service without a licence. The maximum penalty that applies to anyone operating a taxi service without being affiliated to an operator, or holding an operator's license, is £5,000 upon conviction. In addition where an operator is detected using an unlicensed driver or vehicle a similar penalty applies.

Enforcement officers have also commenced a programme of compliance audits at taxi operator premises and during these visits enforcement notices can be issued, if necessary, specifying any remedial action to be taken to ensure compliance with operator licensing requirements. Results of these audits are communicated to the Licensing Section, along with the results of roadside encounters, for consideration in line with suspension and revocation policy.

My Department's taxi reform programme is ongoing and I am committed to implementing all elements of the Taxis Act (NI) 2008 in 2014.

## Department of Finance and Personnel

### European Funding: Political Groups

**Mr McKay** asked the Minister of Finance and Personnel to list the groups, to which he referred as having a 'political voice' on 28 May 2013, that have applied for European funding.

**(AQW 23809/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** I have defined what is meant by political voice. The Member can draw his own conclusions as to which groups fit this definition.

### Interest Rate Swap Agreements

**Mr McKay** asked the Minister of Finance and Personnel whether he has raised the issue of interest rate swap agreements with local banks; and what progress has been made on this issue.

**(AQW 24109/11-15)**

**Mr Wilson:** As you will be aware, in 2012 the then Financial Service Authority (FSA) found serious failings in the sale of Interest Rate Swap Agreements. Clearly this would have had a detrimental impact on those customers that bought a product that was either not appropriate to their needs or which may have come at a higher cost than necessary.

Since then the FSA has worked in conjunction with HM Treasury and the banks to develop an appropriate redress package for those customers that were mis-sold these products and I wrote to Andrew Bailey, then Managing Director of the FSA, on 11 January 2013 urging him to ensure that a scheme was finalised and implemented as quickly as possible.

The process for this has now been agreed and all of the banks involved, including those operating locally, have appointed independent reviewers, piloted the scheme and have commenced their full reviews of the sales of these products.

The principles of redress being applied in these reviews are detailed in the FSA's March 2013 'Interest Rate Hedging Products: Pilot Findings' report. This indicates in that in cases where had the sale complied with appropriate regulatory requirements the customer would not have purchased such a product, redress will be the exit from that product at no charge and a refund of all payments previously paid. Where it is deemed that the customer may have purchased a different product, then redress will involve the offer of such a product and a refund of any difference in the payments made in respect of the costs of each product.

I did not raise this matter separately with the banks as the FSA and the Treasury were responsible for taking forward discussions to resolve this matter.

### Interest Rate Swap Agreements

**Mr McKay** asked the Minister of Finance and Personnel what communication he has had with the Financial Services Authority on interest rate swap agreements.

**(AQW 24110/11-15)**

**Mr Wilson:** As you will be aware, in 2012 the then Financial Service Authority (FSA) found serious failings in the sale of Interest Rate Swap Agreements. Clearly this would have had a detrimental impact on those customers that bought a product that was either not appropriate to their needs or which may have come at a higher cost than necessary.

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I did not raise this matter separately with the banks as the FSA and the Treasury were responsible for taking forward discussions to resolve this matter.

### Interest Rate Swap Agreements

**Mr McKay** asked the Minister of Finance and Personnel for his assessment of the impact on bank customers of the problems surrounding interest rate swap agreements; and to detail any redress.

**(AQW 24177/11-15)**

**Mr Wilson:** As you will be aware, in 2012 the then Financial Service Authority (FSA) found serious failings in the sale of Interest Rate Swap Agreements. Clearly this would have had a detrimental impact on those customers that bought a product that was either not appropriate to their needs or which may have come at a higher cost than necessary.

Since then the FSA has worked in conjunction with HM Treasury and the banks to develop an appropriate redress package for those customers that were mis-sold these products and I wrote to Andrew Bailey, then Managing Director of the FSA, on 11 January 2013 urging him to ensure that a scheme was finalised and implemented as quickly as possible.

The process for this has now been agreed and all of the banks involved, including those operating locally, have appointed independent reviewers, piloted the scheme and have commenced their full reviews of the sales of these products.

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I did not raise this matter separately with the banks as the FSA and the Treasury were responsible for taking forward discussions to resolve this matter.

### **PSNI: Equal Pay**

**Mr Allister** asked the Minister of Finance and Personnel whether he will lobby the Office of the First Minister and deputy First Minister to introduce a scheme for financial assistance under the Financial Assistance Act (NI ) 2009 to afford recompense to those civil servants disadvantaged financially by the outcome of the legal action concerning equal pay which was ruled upon by Judge Babington on 7 March 2013.

**(AQW 24440/11-15)**

**Mr Wilson:** As I have previously stated, no legal liability has been established upon which to base any rationale for such action. The Department of Justice (DOJ) is the sponsoring department of the PSNI and as such, any business case seeking approval to apply the terms of the equal pay settlement by the PSNI must be submitted through DOJ to the Department of Finance and Personnel for approval.

### **Barnett Consequentials**

**Mr Allister** asked the Minister of Finance and Personnel what Barnett consequentials Northern Ireland received as a result of the London 2012 Olympics.

**(AQW 24568/11-15)**

**Mr Wilson:** Northern Ireland received a Barnett Consequential in respect of Olympic funding in 2011-12. The amounts received were £5.172 million Resource DEL and £0.192 million Capital DEL.

### **Barnett Formula**

**Mr Allister** asked the Minister of Finance and Personnel, in each of the last three years, on which UK wide projects he has made representations to the Treasury on the benefits which should flow to Northern Ireland under the Barnett formula.

**(AQW 24571/11-15)**

**Mr Wilson:** The Barnett Formula ensures the Northern Ireland Executive receives a population-based proportion of changes in planned spending on comparable Government services in England, England and Wales or Great Britain as appropriate. The Barnett Formula does not provide for the allocation of resources to Northern Ireland for projects that cover all of the United Kingdom.

You should also note that the 2012 Olympics was a UK – wide initiative that I argued should generate a consequential for Northern Ireland. The Chief Secretary subsequently agreed to award Northern Ireland £5.4 million in 2011-12.

The Coastal Communities Fund operates on a UK-wide basis. I made representations to Treasury suggesting that it was my preference for this funding to be received by way of a routine Barnett consequential. Treasury rejected this proposal and advised the fund would operate on a UK-wide basis.

### **Economic Pact: Borrowing Powers**

**Mr Cree** asked the Minister of Finance and Personnel what additional borrowing powers will be granted as a result of the recent announcement on a package of economic measures.

**(AQW 24579/11-15)**

**Mr Wilson:** The Northern Ireland Executive was provided with a facility to borrow up to an additional £100 million of RRI borrowing power spread evenly across the 2014-15 and 2015-16 financial years.

My officials are currently discussing with their HM Treasury colleagues the technical aspects associated with these additional RRI borrowing powers. However, I am confident that we will be able to spend the £100 million of additional capital funding on projects that will prove beneficial to Northern Ireland.

### Economic Pact: Fiscal Powers

**Mr Cree** asked the Minister of Finance and Personnel what additional fiscal powers he intends to examine for potential devolution.

(AQW 24580/11-15)

**Mr Wilson:** The Northern Ireland Executive recently agreed an Economic Pact with the UK Government titled 'Building a Prosperous and United Community'. This pact contains a commitment to examine the potential for devolving additional fiscal powers.

It is too early to say how this will be taken forward; however at this stage it is envisaged that this work will involve a consideration of the broad range of taxes and duties that might be devolved.

### Contractors: Retention Moneys

**Mr Elliott** asked the Minister of Finance and Personnel, in light of the problems experienced by sub-contractors in getting paid retention monies from main contractors who claim they haven't be paid, what actions are being taken to ensure sub-contractors receive monies within twelve months of completion of their work.

(AQW 24594/11-15)

**Mr Wilson:** I am committed to ensuring that subcontractors are protected and that they are paid promptly. Upon release of retention all subcontractors, that are due payment, must be paid in accordance with the timescales under the terms of their contracts.

Practices of 'pay when paid' are not permitted in government construction contracts. This was reinforced by the Construction Contracts (Amendment) Act 2011 which I introduced on 14 November 2012.

I also announced the introduction of Project Bank Accounts (PBAs) in January 2013. These will be implemented in construction contracts let by CPD which have a construction value in excess of £1 million and which contain a significant subcontracting element. A PBA is a bank account which holds the money in trust for the supply chain. PBAs can be used to make payment of retention to subcontractors. This will protect payment to them in the event that the main contractor becomes insolvent and will facilitate prompt payment upon release of retention.

### Civil Partnerships

**Mr McKay** asked the Minister of Finance and Personnel to list the number of civil partnerships registered in each year since they were introduced, broken down by council area.

(AQW 24628/11-15)

**Mr Wilson:** The attached table details the number of civil partnerships registered in Northern Ireland by Health and Social Care Trust for the years 2005 to 2011.

Provisional figures for 2012 will be available in late July 2013.

Data are not published for all District Council Areas because of small numbers.

**Table 1: Civil Partnerships Registered by Area of Registration, 2005 - 2011**

Registration Area	Registration Year						Total
	2005-2006	2007	2008	2009	2010	2011	
HSC Trust							
Belfast	76	72	48	63	66	44	369
Northern	10	4	6	7	11	9	47
South Eastern	18	9	9	9	14	13	72
Southern	9	11	10	4	11	12	57
Western	15	15	13	13	14	11	81
Northern Ireland	128	111	86	96	116	89	626

1 The Civil Partnership Act came into effect on 5th December 2005.

## **LGBT Community: Same-sex Marriage**

**Mr McKay** asked the Minister of Finance and Personnel whether his Department assessed the scale of the lesbian, gay, bisexual and transgender community when considering the equality screening of the Legislative Consent Motion on same sex marriage.

**(AQW 24630/11-15)**

**Mr Wilson:** There is limited detailed information on the lesbian, gay, bisexual and transgender community in Northern Ireland. Summary information is published in the Office for National Statistics Integrated Household Survey Report. However, it is important to remember that the legislative consent motion was focusing on the issue of same sex marriage and, as was recognised during the screening exercise, there is no research into attitudes within the Northern Ireland LGBT community toward same sex marriage and civil partnerships.

## **LGBT Community: Proportion of Population**

**Mr McKay** asked the Minister of Finance and Personnel what proportion of the population is made up by the lesbian, gay, bisexual and transgender community.

**(AQW 24631/11-15)**

**Mr Wilson:** There is no information available on the whole population in relation to sexual orientation, however, a question on sexual orientation is included in the Northern Ireland Continuous Household Survey (CHS) and is asked of adults (persons aged 16 and over). The latest figure available from the CHS indicates that 1.4% of adults described themselves as Gay/ Lesbian or Bisexual.

A specific option for transgender is not listed on the survey and therefore information for this category is not available.

## **Rates: Vacant Premises in North Down**

**Mr Weir** asked the Minister of Finance and Personnel how many business premises in North Down are considered vacant for rating purposes.

**(AQW 24695/11-15)**

**Mr Wilson:** Information on the number of business premises that are currently vacant in North Down is not available. There were 393 vacant non-domestic properties in the North Down Borough Council area as at 31 May 2013.

## **Project Bank: Payments to Contractors, Sub-contractors and Suppliers**

**Mr McGlone** asked the Minister of Finance and Personnel, in order to facilitate proper payments to contractors, sub contractors and suppliers, for an update on the adoption of Project Bank Accounts as good practice within his Department.

**(AQW 24699/11-15)**

**Mr Wilson:** On 8 January 2013, I announced that Project Bank Accounts (PBAs) will be introduced to projects awarded by Central Procurement Directorate (CPD) that have a construction value in excess of £1 million and which contain a significant subcontracting element.

CPD is finalising guidance which details how PBAs will be implemented within projects awarded by it. PBAs are now being included in projects which are suitable for their adoption and which are let by CPD.

## **PEACE III: Allocations**

**Mr Nesbitt** asked the Minister of Finance and Personnel how he intends to assess the experiences of the community and voluntary sector in accessing PEACE III before the potential roll out of PEACE IV.

**(AQW 24702/11-15)**

**Mr Wilson:** The PEACE IV Programme will be shaped by research and consultation in order that it best meets the needs of the eligible area. One such piece of research is a formal mid-term evaluation of the current PEACE III Programme. This is ongoing and will examine all aspects of the delivery of the PEACE III Programme. The evaluation has included engagement and consultation with a range of stakeholders and beneficiaries, including representatives and projects from the community and voluntary sector.

In autumn 2012 SEUPB led an initial public consultation on future programmes. This sought the views of all programme stakeholders, and provided an opportunity for the expression of experiences of the current PEACE III Programme. When prepared, the draft PEACE IV Operational Programme will be subject to a twelve week public consultation. This will provide a further opportunity for all stakeholders, including the community and voluntary sector, to provide input into development of the programme. It is anticipated that this consultation will take place in the autumn.

A Cross-border Programme Development Steering Group chaired by the Special EU Programmes Body (SEUPB), which again includes representation from both sectors, has also been established to oversee the process of developing both the future PEACE and INTERREG Cross-border Programmes.



## PEACE IV: Allocations

**Mr Nesbitt** asked the Minister of Finance and Personnel what action he will take to ensure that PEACE IV is allocated more efficiently than its predecessor.

**(AQW 24703/11-15)**

**Mr Wilson:** The process of developing the PEACE IV Programme will include review of all aspects of programme delivery with a view to making improvements and simplifications where possible. My officials are working closely with the Special EU Programmes Body (SEUPB) and the relevant government departments to this end.

The current PEACE III Programme has allocated funding more efficiently than its predecessors. Delivery structures have been centralised and streamlined, and the proportion of the budget allocated to Technical Assistance has reduced from 8.5 per cent in PEACE II to 6 per cent in PEACE III. The programme is almost fully committed and has met all of its EU expenditure targets to date.

## SEUPB: Communication

**Mr Nesbitt** asked the Minister of Finance and Personnel what action he has taken to improve communication between organisations and the Special EU Programmes Body on issues of funding.

**(AQW 24705/11-15)**

**Mr Wilson:** The Special EU Programmes Body (SEUPB) provides support to all PEACE III and INTERREG IVA project Lead Partners. SEUPB provides detailed guidance notes and advice on all aspects of funding and project management. Each Lead Partner is assigned a case officer and a verification officer to act as points of contact.

SEUPB is in the process of delivering a year long programme of training seminars for projects focusing on all aspects of effective project management. Over the past six months SEUPB has delivered twenty-seven such events, which have been attended by over 700 participants.

More broadly, SEUPB implements a proactive communication strategy. This encompasses the creation and maintenance of a comprehensive website; the production of a regular newsletter and e-zine; and the dissemination of detailed programme performance / monitoring reports to key stakeholders.

## PSNI: Equal Pay

**Mr Allister** asked the Minister of Finance and Personnel for an update on use of the £25m set aside for Equal Pay claims; and if it has been used to fund expenditure for the G8 Summit.

**(AQW 24739/11-15)**

**Mr Wilson:** The Department of Justice had, as part of the 2nd stage Devolution funding package, the right to ask HM Treasury for access to £26 million from the UK National Reserve in respect of PSNI Equal Pay. This funding was to be drawn down in the 2011-12 financial year, although the Chief Secretary, on two occasions, agreed that this facility could be carried forward while legal proceedings continued.

The Department of Justice has now successfully defended the Equal Pay case and therefore no longer has any access to this specific UK Reserve facility.

## Social Clause Tool Kit

**Mr P Ramsey** asked the Minister of Finance and Personnel, in light of the Strategic Investment Board's creation of a social clause tool kit, whether Central Procurement Directorate guidance will be adopting the principles of the toolkit; and which guidelines on social clauses will take precedence.

**(AQW 24811/11-15)**

**Mr Wilson:** Central Procurement Directorate (CPD) has worked closely with the Strategic Investment Board on the development of its toolkit "Delivering Social Benefits in Publicly Procured Works, Supplies and Services Contracts". This toolkit has not yet been published.

The toolkit reflects the principles of the Procurement Board's guidance entitled "Equality of Opportunity and Sustainable Development in Public Sector Procurement", which was produced jointly by CPD and the Equality Commission(NI). This guidance was endorsed by the Northern Ireland Executive in May 2008 and takes precedence over other guidance on social clauses.

## Rates: Reval 2015

**Mr Spratt** asked the Minister of Finance and Personnel for an update on the progress of Reval 2015.

**(AQO 4440/11-15)**

**Mr Wilson:** Work is well underway and proceeding to plan. Land & Property Services (LPS) has now issued letters to the occupiers of around 45,000 business occupiers requesting details of current rental and lease information.

This process is a critical part of any revaluation, to establish details of as many current rents as possible in order to compile a reliable, up to date Valuation List based on 2013 rental levels. These returns are being undertaken mainly online for the first time. By late summer the analysis of the market information will be well underway and this will be followed by a detailed valuation exercise, resulting in new values being applied to the 72,500 non-domestic properties in Northern Ireland.

This is a complex process, taking many months; throughout this period and indeed throughout the project LPS will continue to engage with the business community. This is essential to ensure LPS fully understand the market, what it is revealing and how it will impact on the new valuation assessments. I am pleased that business organisations like the Federation of Small Businesses and Northern Ireland Independent Retail Trade Association and also the RICS representing the property profession have all added their voices to the call for ratepayers to respond to the Forms of Return. We all want this exercise to succeed, in order to rebalance business rates and ensure that individuals pay a fairer share of this local tax.

In Autumn 2014, LPS will complete the valuations in order that District Councils can undertake their calculations for striking District Rates for the coming year, and that DFP can assess the needs of business for transitional relief, and importantly to let the business community know what the new values are and what the likely impact will be.

The new draft List, containing all the new assessments, will be published on the Internet before the end of 2014. Bills based on the new values will issue at the usual time for turn of year billing in April 2015.

### **Budget: Spending Round 2013**

**Mr Moutray** asked the Minister of Finance and Personnel for his assessment of the recent UK Spending Round and the local impact.

**(AQO 4435/11-15)**

**Mr Wilson:** The Chancellor's Spending Round announcement on Wednesday 26th June 2013 detailed the UK's budget for the financial year 2015-16 and provided an overall envelope for the Executive's 2015-16 Budget.

Our 2015-16 Resource DEL will be £10.2 billion, and our 2015-16 Capital DEL will be £1.1 billion.

In terms of the local impact of the Spending Round, it was inevitable that the savings announced at a UK level would have an impact here. However I welcome the Chancellor's decision to continue with protections for Health and schools, which effectively insulates the Northern Ireland budget from the full extent of the cuts applied to Whitehall departments.

I will now provide advice to my Executive colleagues on the proposed way forward for a local budget process and will outline a timetable in due course.

### **A5: Funding Reallocation**

**Mr Allister** asked the Minister of Finance and Personnel, in light of the money made available by the A5 road scheme not proceeding, for his response to the Minister for Regional Development's proposals for alternative capital spend on major road projects in 2014/15.

**(AQO 4436/11-15)**

**Mr Wilson:** All major capital projects have a significant lead-in time - it is simply not possible to immediately displace one project with another in the short term. This is, of course, the problem that the Executive has had to address with the ongoing delay to the A5 road scheme.

Minister Kennedy wrote to me in advance of the June Monitoring round, suggesting that the Executive take forward a number of alternative roads schemes in 2014-15. Although these schemes might well be worthwhile progressing, the Executive has agreed that all Ministers should be afforded the opportunity to bring forward viable capital projects.

The Executive will therefore consider, in a strategic manner, proposals from all Ministers as part of the October Monitoring round and I will update the House on the outcome of our deliberation at that time.

### **G8: Net Cost**

**Mr Kinahan** asked the Minister of Finance and Personnel to outline the net cost of hosting the G8 Summit 2013.

**(AQO 4437/11-15)**

**Mr Wilson:** I am sure the Member will join me in firstly recognising the successful delivery of a safe and secure event that has been referred to as the most peaceful G8 summit in terms of protests. The images of Northern Ireland shown around the world as a positive and welcoming place that is open for business should be recognised as a positive outcome.

As I have said earlier today, the policing and security-related costs are now estimated at some £75 million, with only £14.5 million of that falling on the Executive. I have also announced allocations to cover additional departmental costs of around £5.1 million to fund road improvements, a publicity campaign to maximise the economic benefits from the event and for the Ambulance and Fire and Rescue Service to provide additional support to the PSNI.

Of course, this event has the potential to generate huge economic benefits for Northern Ireland and this should be set against the costs. However, we will not know the benefits for years to come. A follow-up Investment Conference has already been announced for the autumn and I believe it is critical that we build on the positive publicity already generated. For

example, a recent report by Barclays on the G8 event estimates that there could be significant net economic benefits in the short term with the potential for further longer term benefits.

### **Budget: Spending Round 2013**

**Mr F McCann** asked the Minister of Finance and Personnel to outline his strategy for addressing the impact of the Westminster June Spending Round on budgets.

**(AQO 4438/11-15)**

**Mr Wilson:** The Chancellor's Spending Round announcement on Wednesday 26th June 2013 detailed the UK's budget for the financial year 2015-16 and provided an overall envelope for the Executive's 2015-16 Budget.

Our 2015-16 Resource DEL will be £10.2 billion, and our 2015-16 Capital DEL will be £1.1 billion.

In terms of the local impact of the Spending Round, it was inevitable that the savings announced at a UK level would have an impact here. However I welcome the Chancellor's decision to continue with protections for Health and schools, which effectively insulates the Northern Ireland budget from the full extent of the cuts applied to Whitehall departments.

I will now provide advice to my Executive colleagues on the proposed way forward for a local budget process and will outline a timetable in due course.

### **Central Procurement Directorate**

**Mr Clarke** asked the Minister of Finance and Personnel for his assessment of whether the Central Procurement Directorate is fit for purpose.

**(AQO 4439/11-15)**

**Mr Wilson:** In my view the Central Procurement Directorate (CPD) is fit for purpose. This is based on the positive assurances provided from external validation provided by independent experts.

These external reviews include, for example:

- Independent examination of CPD's capability against the model endorsed by the Procurement Board for accreditation as a Centre of Procurement Expertise.
- Independent examination of CPD's role as a Gateway Authorised Hub including its ability to promote and manage the Gateway Review Process as applied to public bodies.
- Independent examination to confirm the continuing accreditation of CPD's quality management system against ISO 9001:2008.
- Independent examination of CPD against the European Foundation for Quality Management Model following which CPD was assessed as having achieved Gold Standard.

### **A5: Investment Strategy**

**Mr Lunn** asked the Minister of Finance and Personnel for his assessment of the current Investment Strategy, given the shift in budget allocation from the A5 project.

**(AQO 4441/11-15)**

**Mr Wilson:** All major capital projects have a significant lead-in time - it is simply not possible to immediately displace one project with another in the short term. This is, of course, the problem that the Executive has had to address with the ongoing delay to the A5 road scheme.

Minister Kennedy wrote to me in advance of the June Monitoring round, suggesting that the Executive take forward a number of alternative roads schemes in 2014-15. Although these schemes might well be worthwhile progressing, the Executive has agreed that all Ministers should be afforded the opportunity to bring forward viable capital projects.

The Executive will therefore consider, in a strategic manner, proposals from all Ministers as part of the October Monitoring round and I will update the House on the outcome of our deliberation at that time.

### **A5: Capital Project Planning 2014-15**

**Mr Anderson** asked the Minister of Finance and Personnel what action he will take on 2014-15 capital project planning in light of the delay in the upgrade of the A5 road.

**(AQO 4442/11-15)**

**Mr Wilson:** All major capital projects have a significant lead-in time - it is simply not possible to immediately displace one project with another in the short term. This is, of course, the problem that the Executive has had to address with the ongoing delay to the A5 road scheme.

Minister Kennedy wrote to me in advance of the June Monitoring round, suggesting that the Executive take forward a number of alternative roads schemes in 2014-15. Although these schemes might well be worthwhile progressing, the Executive has agreed that all Ministers should be afforded the opportunity to bring forward viable capital projects.

The Executive will therefore consider, in a strategic manner, proposals from all Ministers as part of the October Monitoring round and I will update the House on the outcome of our deliberation at that time.

## Department of Health, Social Services and Public Safety

### Care Homes: Rathmoyle

**Mr McKay** asked the Minister of Health, Social Services and Public Safety whether the Northern Health and Social Care Trust or his Department are aware of any calculations to determine the savings that could be made by the closure of Rathmoyle residential care home; and to outline the calculations and the projected savings.

**(AQW 24107/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** On 3 May 2013, I called a halt to the consultation proposal process for the closure of local residential homes within Trusts. There is no doubt that delaying change can have financial consequences. By not changing the model of care within a reasonable timeframe, less revenue resources can be moved from the statutory residential care home sector to improve services and support in the community.

I have asked the HSC Board to lead on a regional oversight process that adheres to best practice in consultation, engagement and change management. However, as it is not possible at this stage to put a definite timeframe on when this process will be completed and subsequent actions taken, it is not possible at this stage to identify the financial cost of my decision.

### Learning Disability Services: Belfast Trust

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) how much is spent annually on learning disability services in the Belfast Health and Social Care Trust area, broken down by (a) north; (b) south; (c) east; and (d) west; and (ii) for a breakdown of the services on which the money is spent.

**(AQW 24326/11-15)**

**Mr Poots:** The information requested is not available by parliamentary constituency, however, expenditure on learning disability services for 2012/13, in the Belfast Health and Social Care Trust area, broken down by service area, is set out in the table below.

Learning Disability Services Expenditure 2012/13	£m
Residential, Supported Living and Day Services	16.6
Community Treatment and Support	2.8
Care Management	15.3
Muckamore Abbey Hospital (Regional Inpatient Services)	15.9
Medical Staff Costs (Muckamore Abbey Hospital & Community Medical Services to Belfast HSCT, South Eastern HSCT and Northern HSCT)	1.2
<b>Total</b>	<b>51.8</b>

### Learning Disability Services Staff

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) to detail the number of staff who work in learning disability services in each Health and Social Care Trust; (ii) how many of these staff have management responsibilities; and (iii) how many posts are vacant.

**(AQW 24339/11-15)**

**Mr Poots:**

- (i) The following information has been supplied by HSC Trusts who were asked to provide figures for staff in the Nursing & Midwifery, Social Services, Professional & Technical or Medical & Dental occupational families whose primary role is within Learning Disability, excluding bank staff. As Trusts are organised differently, and staff can work across services, it is not possible for Trusts to have fully accounted for their Learning Disability provision within the timescale allotted to this Assembly Question; nor does this information allow Trusts to be compared.

#### Belfast HSC Trust

Occupational Family	Whole-time Equivalent
Nursing & Midwifery	454.05
Professional & Technical	15.54
Social Services	421.99

<b>Occupational Family</b>	<b>Whole-time Equivalent</b>
Medical & Dental	9.20

**Northern HSC Trust**

<b>Staff Group</b>	<b>Headcount</b>	<b>Whole-time equivalent</b>
Qualified Nursing	23	21.52
Social Workers	33	31.20
Social Work Support/ Social Care staff	309	160.54
Occupational Therapist/ OT support	8	6.46
Speech & Language Therapist/ S&L support	10	8.00
Physiotherapist / Physio support	10	7.96
Clinical Psychologist / Assistant Psychologist	14	13.9
Community Psychiatrists	2	1.20
Learning Disability Dental Hygienist	1	0.61
Multi Service Managers (Individuals may have nursing, social work, AHP or social care qualifications)	28	27.80

**South-Eastern HSC Trust**

<b>Staff Group</b>	<b>Headcount</b>	<b>Whole-time equivalent</b>
Qualified Nursing	46	35.83
Nursing Support	7	6.13
Social Workers	75	63.58
Social Work Support/Social Care	263	204.05
Occupational Therapist	2	2.00
Speech & Language Therapist	4	3.80
Physiotherapist	2	1.20
Clinical Psychologist	9	8.40
Assistant Psychologist	3	3.00
Teacher/Training Support	18	14.30

**Southern HSC Trust**

<b>Staff Group</b>	<b>Headcount</b>	<b>Whole-time equivalent</b>
Qualified Nursing	98	87.39
Nurse Support	85	77.64
Social Workers	51	43.40
Social Work Support/ Social Care staff	214	172.93
Occupational Therapist/ OT support	12	10.84
Speech & Language Therapist	5	4.80
Physiotherapist/ Physio support	6	4.00
Clinical Psychologist/Assistant Psychologist	9	8.40
Medical & Dental	3	3.00
Multi Services Managers	8	7.15
Physical Disability/Sensory Impairment Support Worker (LD Supported Living facility)	3	3.00

Staff Group	Headcount	Whole-time equivalent
Podiatrist Qualified	3	2.30

#### Western HSC Trust

Staff Group	Headcount	Whole-time equivalent
Qualified Nursing	50	48.67
Nurse Support	58	55.23
Social Workers	24	23.77
Social Work Support/ Social Care staff	255	223.59
Occupational Therapist	1	0.80
Clinical Psychologist/Assistant Psychologist	2	1.60
Medical & Dental	3	2.80

- (ii) Collating numbers of staff with management responsibilities could only be achieved at disproportionate cost. The HSC Trusts have informed my Department that to do so would require a time-consuming manual exercise on each of their parts.
- (iii) Collating vacancies is also a time-consuming manual process. Detailed HSC vacancy figures for March and September of each year are published in the biannual Northern Ireland HSC Vacancy Survey Report. The report showing vacancies HSC- wide as at 31st March 2013 will be published in September at [http://www.dhsspsni.gov.uk/index/stats\\_research/workforce-statistics/stats-hsc.htm](http://www.dhsspsni.gov.uk/index/stats_research/workforce-statistics/stats-hsc.htm)

#### Cancer: Drug Fund

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety whether he has any plans to introduce a Cancer Drug Fund, similar to that in England, on a pro rata basis, or a Special Needs Fund such as that introduced in Scotland. (AQW 24387/11-15)

**Mr Poots:** No decision has been taken regarding the establishment of a Cancer Drugs Fund for Northern Ireland. Patients in Northern Ireland may access unapproved cancer drugs through the process of individual funding requests (IFR). IFRs are made on behalf of patients by their consultants. The Health and Social Care Board has a process for considering those requests, details of which may be found at the following link:

#### Hospitals: Cardboard Balers

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) how much has been spent on cardboard balers for the Mater, City and Royal Victoria Hospitals in Belfast, since 2010; (ii) whether any of the balers are off site; and (iii) if so, why this is the case. (AQW 24402/11-15)

**Mr Poots:** The Belfast Health and Social Care Trust have no cardboard balers that are situated or operated off site.

The costs for cardboard balers and maintenance (purchase and lease) are as follows:

2010/11 RVH = £7,500 (purchase)	BCH = £4,500 (lease)	MIH = £0
2011/12 RVH = £295 (annual maintenance)	BCH = £4,500 (lease)	MIH = £0
2012/13 RVH = £19,000 (new purchase)	BCH = £3,036 (lease)	MIH = £0

#### Hospitals: Waste Disposal

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how much has been spent on the disposal of (i) cardboard; (ii) food waste; and (iii) hazardous waste at the Mater, City and Royal Victoria Hospitals in Belfast, in each year since 2010.

(AQW 24403/11-15)

**Mr Poots:** The Belfast Health and Social Care Trust categorises cardboard and food as non-hazardous/non-infectious waste. Hazardous waste is categorised and disposed of as per Departmental guidance.

Costs for disposal of non-hazardous and hazardous waste have been detailed below.

**Non Hazardous/Non Infectious**

2010/11	RVH = £275,814	BCH = £135,963	MIH = £81,071
2011/12	RVH = £207,535	BCH = £73,211	MIH = £61,089
2012/13	RVH = £252,760	BCH = £85,636	MIH = £26,246

**Hazardous/Infectious/Potentially Infectious**

2010/11	RVH = £656,408	BCH = £321,563	MIH = £112,142
2011/12	RVH = £703,571	BCH = £375,845	MIH = £115,032
2012/13	RVH=£845,115	BCH=£371,940	MIH=£124,526

**Suicide: Tramadol**

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether any people who died by suicide in north and west Belfast, over the last three years, had been prescribed Tramadol.

**(AQW 24415/11-15)**

**Mr Poots:** The information requested is not available.

However, I am aware there have been growing concerns about tramadol related deaths and the Advisory Council on the Misuse of Drugs has carried out a review of the harms associated with the non-medicinal use of tramadol. The issue of prescription drug misuse will be the main point of consideration at the next meeting of the Steering Group on the New Strategic Direction on Drugs and Alcohol.

**Autism: One-stop-shop Pilot**

**Mr Milne** asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the proposal from the Northern Health and Social Care Trust and the National Autistic Society to the Social Investment Fund for a One Stop Shop service for families living with autism; (ii) why Autism NI and Autism Initiatives NI are not included in this proposal; (iii) whether the National Autistic Society will be eligible for any subsequent tendering process, given its role in co-designing this proposal and service model; and (iv) whether the investigations regarding the One Stop Shop model that are referenced in the draft autism strategy plan have extended beyond England to Scotland and Wales to secure a researched basis for such developments locally.

**(AQW 24423/11-15)**

**Mr Poots:**

- (i) Neither, I or my departmental officials were aware that this proposal had been submitted to the OFMDFM's Social Investment Fund. The proposal submitted is not for the 'One Stop Shop' pilot service as referenced in the draft Autism Strategy and Action Plan;
- (ii) The Northern HSC Trust has advised that the proposal to the Social Investment Fund was initiated by the National Autistic Society (NAS) who approached the Northern HSC Trust seeking their support;
- (iii) OFMDFM have advised that at this stage no decision has been made on the Autism project submitted as part of the Northern Social Investment Zone Area Plan;
- (iv) I can confirm that similar models in Scotland have also been researched as part of the early investigative work to develop a design specification for the Northern Ireland 'One Stop Shop' pilot service as referenced in the draft Autism Strategy and Action Plan. These investigations will continue as development and design of the pilot service progresses.

**Care Homes: Council Consultation**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what engagement he plans with local councils on the review of the provision of residential care homes.

**(AQW 24430/11-15)**

**Mr Poots:** On 3rd May 2013, I called a halt to the Trusts' consultation processes. I have asked the Health and Social Care Board (HSCB) to lead on a new, regionalised process for consulting, engaging and implementing change. In doing so, I am keen to secure the best possible outcomes for older people, including those currently residing in statutory residential care homes.

I would urge everyone, individuals and organisations alike, who has an interest in how we deliver social care for our older people in the future to take part in the consultation process and make their views heard. Details of the consultation will be published as soon as they are available.

### Hospitals: Road-sweeping Machines

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how many road sweeping machines are available at the (i) Mater; (ii) City; and (iii) Royal Victoria Hospitals in Belfast; and what are the associated costs for these machines over each of the last three years.

(AQW 24436/11-15)

**Mr Poots:** The Belfast Health and Social Care Trust operates one road sweeping machine at RGH site.

The annual costs of routine servicing and repairs is detailed in the table below

At the beginning of 2013 a new replacement sweeper was put into use at a cost of £33,750( Machine was purchased in June 2012). There have not been costs against the new machine in 2013 because no servicing or repairs have been carried out as yet

Years	Total Invoices Recorded (Routine Service)=A	Total Invoices Recorded (Callouts/ Repairs)=B	Total Cost Recorded = A+B	Approx expected Cost of Routine Service
2010	None recorded	£6,998.89	£6,998.89	2010/11 - £1,575.00
2011	£990.00	£2,124.16	£3,114.16	2011/12 - £1,626.00
2012	£330.00	£3000.47	£3330.47	2012/13 - £1,626.00
2013	None recorded	None recorded	None recorded	

There are currently no road sweeping machines available at the Mater or Belfast City Hospital.

### Cancer: Individual Funding Requests

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the criticisms contained in the 'Funding Cancer drugs in Northern Ireland' publication by the Rarer Cancer Foundation, whether he plans to improve the Individual Funding Request system or introduce a cancer drug fund.

(AQW 24441/11-15)

**Mr Poots:** No decision has been taken regarding the establishment of a Cancer Drugs Fund for Northern Ireland. Patients in Northern Ireland may access unapproved cancer drugs through the process of individual funding requests (IFR). The Health and Social Care Board has a clear process for the submission and consideration of IFR requests. This process has been communicated to all Health and Social Care Trusts.

### Cancer: Individual Funding Requests

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the 'Funding Cancer drugs in Northern Ireland' publication by the Rarer Cancer Foundation, how he intends to approach the challenge that clinicians are eight times less likely to make requests for patients than they are in England.

(AQW 24442/11-15)

**Mr Poots:** I am advised that the data related to the challenge that the Member has referred to is incomplete and as such may be questionable in terms of being reflective of activity in Northern Ireland. Patients in Northern Ireland may access unapproved cancer drugs through the process of individual funding requests (IFR). An IFR can be initiated by any consultant who feels their patient would benefit from an unapproved drug.

### Cancer: Timely Treatment

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the 'Funding Cancer drugs in Northern Ireland' publication by the Rarer Cancer Foundation, how he will respond to the revelation that a large proportion of cancer specialists claim treatment has been unavailable in a timely manner for patients.

(AQW 24443/11-15)

**Mr Poots:** I am advised that the statement referred to by the Member relates to a survey published in 2011 and may not be reflective of current activity in Northern Ireland, particularly since the latest guidance on access to unapproved drugs was issued in March 2012. In addition, clinicians who have concerns that their patients are not receiving treatment for cancer in a timely manner should raise that concern through the well established clinical governance arrangements that exist in each Health and Social Care Trust.

### Podiatric Surgery Service: Pilot Study

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety for his assessment of the pilot study of podiatric surgery carried out in NHS Greater Glasgow and Clyde in the Southern General Hospitals, Department of Podiatry in March 2010.

(AQW 24465/11-15)



**Mr Poots:** The pilot Podiatric Surgery Service Report was published in January 2011 by NHS Greater Glasgow & Clyde. The report was produced by the Podiatric Surgery Pilot Steering Group which included Podiatry Managers, Consultant Orthopaedic Foot Surgeon, service managers and a Podiatric Surgeon. The report is endorsed by the Scottish government.

The HSCB and PHA will be considering this evidence and other potential models when progressing the development of Podiatric Surgery in Northern Ireland. The HSCB and PHA are committed to working in partnership with key stakeholders in the development of this service.

### **Podiatric Surgery Service: Commissioning Process**

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to outline the commissioning process for podiatric services.

**(AQW 24466/11-15)**

**Mr Poots:** The commissioning of services is a matter for the Health and Social Care Board. The Board has advised that the podiatric service will be commissioned from an agreed Health and Social Care Trust provider, in line with the majority of acute elective services. The commissioning process will ensure an integrated patient pathway from referral, through orthopaedic Integrated Clinical Assessment and Treatment Services (ICATS), podiatric surgeon and orthopaedic surgeon, as appropriate.

### **Podiatric Surgery Service: Consultation**

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to outline the engagement and consultative processes around podiatric services.

**(AQW 24467/11-15)**

**Mr Poots:** The Health and Social Care Board is taking forward the development of a local podiatric surgical service. I assume that the Member is referring to this element of podiatric services. The Board will be working closely with key stakeholders, including clinicians, to ensure an agreed way forward in the development of this service.

### **Orthopaedic Consultants: Recruitment**

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety why the recruitment of orthopaedic foot and ankle consultants to Health and Social Care Trusts has not been prioritised.

**(AQW 24468/11-15)**

**Mr Poots:** I can confirm that all orthopaedic foot and ankle consultant posts within the Health and Social Care Trusts are filled and there is no requirement to recruit at this time.

### **Podiatric Surgery Service: Training**

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety what impact the proposed changes to podiatric services will have on training orthopaedic surgeons, specifically in relation to their training targets.

**(AQW 24470/11-15)**

**Mr Poots:** It is not anticipated that the proposed changes to podiatric services will have any impact on the training of orthopaedic surgeons, including their training targets. The Health and Social Care Board has advised that the proposed new service will focus on the gap between the demand for foot and ankle surgery and the capacity to meet that demand ie it will deal with foot and ankle referrals which Trusts are currently unable to provide within existing capacity.

### **Cancer: Individual Funding Requests**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, in light of the 'Funding Cancer Drugs in Northern Ireland' publication, why 23 life extending treatments remain inaccessible to patients.

**(AQW 24482/11-15)**

**Mr Poots:** The "Funding Cancer Drugs in Northern Ireland Report" lists 22 drugs which were unavailable in Northern Ireland in June 2012. The 22 drugs listed are drugs that had not been approved by the National Institute for Health and Care Excellence (NICE) at that date. The Health and Social Care Board does not routinely commission drugs unapproved by NICE. Patients in Northern Ireland may access unapproved cancer drugs through the process of individual funding requests. Health and Social Care in Northern Ireland is committed to providing the best services that it can within the funding available. It is important therefore that approved drugs and therapies are both clinically and cost effective.

### **Cancer: Individual Funding Requests**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety for his assessment of the need for a review of the Individual Funding Request system to ensure that care on par with the English system is provided to patients.

**(AQW 24483/11-15)**

**Mr Poots:** Patients in Northern Ireland may access unapproved cancer drugs through the process of individual funding requests. The Health and Social Care Board has a clear process for the submission and review of Individual Funding (IFR)

requests. From April 2012 to March 2013 the Board received 105 IFR requests for cancer drugs, of which 93 were approved. Two requests for funding were not supported. The remaining 10 did not progress. The total cancer drug expenditure in 2012/13 was £24.8m

### Procurement: BSO Contracts

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 24003/11-15, to detail the supply contracts awarded by the Business Services Organisation's Procurement and Logistics Service since 16 March 2013, including the (i) contract title; (ii) date the contracts were awarded; and (iii) names of businesses awarded either a whole or a part of the contract.

**(AQW 24486/11-15)**

**Mr Poots:** Details of the supply contracts awarded by the Business Services Organisation's Procurement and Logistics Service since 16 March 2013 are included in the table overleaf.

Contract Description	Supplier Name	Contract Award Date
PaLS - Mini Competition Video Camera Drape and Card Insert	M.E.D. Surgical	18/06/2013
PaLS - Maintenance of Boiler Water Controls	Mobrey Ltd	11/06/2013
PaLS-Delivery of Leadership Development Programmes for Integrated Care	Karen Picking Consultancy Limited	13/06/2013
Suction Canisters and Liners (Gelling Agent)	VacSax Limited	01/06/2013
PaLS - Supply & Delivery of Endoscope Transport Bags	Lancer UK Limited	23/05/2013
PaLS - Electrode Plate Diathermy - Supply & Delivery	ConMed UK	21/05/2013
Radiopharmaceutical Products & Generators Imaging Equip.	Imaging Equipment Ltd	24/05/2013
Radiopharmaceutical Products & Generators Mallinckrodt/Covidien	Covidien UK Commercial Limited	24/05/2013
Radiopharmaceutical Products & Generators GE H/Care	GE healthcare	24/05/2013
Radiopharmaceutical Products & Generators -Diagnostic Imag.	Diagnostic Imaging Ltd	24/05/2013
Radiopharmaceutical Products & Generators IBA Mol.	IBA Molecular UK Ltd	24/05/2013
Suction Canisters and Liners	VacSax Limited	01/06/2013
Provision of Water Safety Works within SE HSC Trust	PHS PEST CONTROL LIMITED	21/05/2013
Supply & Delivery Of Cover Set Image Intensifier	Vygon Uk Ltd	13/05/2013
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 2 Curtains	John Mann & Company Ltd	01/05/2013
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 1 Blinds	Anderson Interiors Ltd	01/05/2013
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 1 Blinds	Interiors and floor design	01/05/2013
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 2 Curtains	FRANCIS PRICE CONTRACTS (A DIVISION OF THE BEHRENS GROUP)	01/05/2013
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 2 Curtains	Interiors and floor design	01/05/2013
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 3 Disposable Curtains	FRANCIS PRICE CONTRACTS (A DIVISION OF THE BEHRENS GROUP)	01/05/2013
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 1 Blinds	the fabric centre	01/05/2013

<b>Contract Description</b>	<b>Supplier Name</b>	<b>Contract Award Date</b>
Supply, Delivery and Fitting of Blinds, Curtains and Disposable Curtains Lot 1 Blinds	Vertiking Services Ltd	01/05/2013
Nucleic Acid Extraction Systems RVH	Roche Diagnostics Ltd	13/05/2013
Normal Human Immunoglobulins	CSL Behring UK Limited	National Framework 1/6/2013*
Normal Human Immunoglobulins	Baxter Healthcare Ltd	National Framework 1/6/2013*
Normal Human Immunoglobulins	Grifols UK Ltd	National Framework 1/6/2013*
Normal Human Immunoglobulins	Octapharma Ltd	National Framework 1/6/2013*
Normal Human Immunoglobulins	Bio Products Laboratory Ltd	National Framework 1/6/2013*
Normal Human Immunoglobulins	Oxbridge Pharma Ltd	National Framework 1/6/2013*
PaLS - Simulators Wireless supply and delivery	Gaumard Scientific Co.	28/05/2013
PaLS - Evacuation Chair Supply, Delivery & Maintenance	DB McLarnon Fire Protection	21/05/2013
PaLS_ Supply & Delivery of Surgical Dressings for HSC**	Armstrong Medical Ltd	29/03/2013
Phosphate Buffered Saline	PREMIER SCIENTIFIC LTD	14/05/2013
PaLS - Beyond Silos EU Funding Application Support (TYC)	Ernst & Young LLP (Belfast)	09/05/2013
Arterial Sampling Syringes	Radiometer Limited	08/05/2013
Arterial Sampling Syringes	Radiometer Limited	08/05/2013
Lot Two - Western Trust (Northern Sector)	Dove House Community Trust	03/05/2013
Lot One - Banbridge (with an outreach service in Craigavon)	REACT LTD	03/05/2013
Lot Three - Northern Trust (Northern Sector)	Opportunity Youth	03/05/2013
11298 - PaLS Maintenance of Patient Trolleys and Operating Tables	EMSA Belfast	07/05/2013
11297 - PaLS Maintenance of Eschmann Portable Suction	EMSA Belfast	25/04/2013
11535 - PaLS - Maintenance of Tourniquets and Diathermies	EMSA Belfast	25/04/2013
Medium Wash Up Pack	Pennine Healthcare	01/05/2013
Sterile Customised Procedure Packs: Anaesthetic Pack Musgrave	Clonallon Laboratories Ltd	01/05/2013
LABORATORY PAPER	United Paper Merchants Ltd	13/05/2013
Maintenance & Repair of Vehicle Heating & Air Conditioning Systems	CJ Collins Auto Electrics	25/04/2013
Maintenance & Repair of Vehicle Heating & Air Conditioning Systems	Premier Healthcare NI Ltd	25/04/2013
Laundry Chemicals and Associated Products - Lot 1	Zenith Hygiene Systems Ireland	01/05/2013
Natural Gas (Supply)	Firmus energy ( supply ) ltd.	25/04/2013
Clean Indicator Notes	GAMA Healthcare Ltd	09/04/2013

<b>Contract Description</b>	<b>Supplier Name</b>	<b>Contract Award Date</b>
Media Monitoring	Kantar Media formerly MediaMarket	20/03/2013
Lithotomy Wash-Up Pack	Pennine Healthcare	23/04/2013
PaLS_Procurement of seasonal influenza vaccines 2013/2014	Novartis Vaccines and Diagnostics Limited	29/03/2013
PaLS_Procurement of seasonal influenza vaccines 2013/2014	GlaxoSmithKline UK Ltd	29/03/2013
Supply and Delivery of Adhesive Waste Labels	PM Labels Limited	25/04/2013
Knee Pack- Altnagelvin Hospital	Clonallon Laboratories Ltd	16/04/2013
11963 - PaLS - Maintenance of Wolf Equipment	Endosurgical NI Ltd.	24/04/2013
PaLS_Procurement of seasonal influenza vaccines 2013/2014	MASTA LTD	29/03/2013
PaLS_Procurement of seasonal influenza vaccines 2013/2014	Sanofi Pasteur MSD	29/03/2013
PaLS - Maintenance of Static System Nurse Call System	Alfred J Hurst Ltd	25/04/2013
RTF Infant Formula	SMA Nutrition	17/04/2013
Provision of an Eye Care Voucher Service	Specsavers Optical Superstores Ltd	18/04/2013
D & C Pack	Intraveno Healthcare	18/04/2013
11208 - PaLS - Mini Competition for Maintenance of High Grade Diagnostic Imaging Systems	Medical Imaging NI Ltd	03/04/2013
Vaginal Hysterectomy Pack	Clonallon Laboratories Ltd	18/04/2013
Sterile Customised Procedure Packs - Laparoscopy Pack B	Pennine Healthcare	17/04/2013
Sterile Customised Procedure Packs Laparoscopy Pack A	Accuscience	17/04/2013
ENT Drape Pack	Clonallon Laboratories Ltd	17/04/2013
PaLS SUPPLY AND DELIVERY OF NORTHERN TRUST NAME BADGES	Recognition Express NI	11/04/2013
Single Use Endoscopy Accessories	Bunzl Healthcare	08/04/2013
Single Use Endoscopy Accessories	Vernon Medical	08/04/2013
Single Use Endoscopy Accessories	Partners for Endoscopy Limited	08/04/2013
Single Use Endoscopy Accessories	Cardiac Services Limited	08/04/2013
Single Use Endoscopy Accessories	Boston Scientific Ltd	08/04/2013
Single Use Endoscopy Accessories	Medical Innovations	08/04/2013
Single Use Endoscopy Accessories	Albyn Medical Ltd	08/04/2013
Single Use Endoscopy Accessories	Cook UK Ltd	08/04/2013
Single Use Endoscopy Accessories	BVM Medical Limited	08/04/2013
Single Use Endoscopy Accessories	Endosurgical NI Ltd.	08/04/2013
Single Use Endoscopy Accessories	ConMed UK	08/04/2013
Single Use Endoscopy Accessories	Intraveno Healthcare	08/04/2013
Inventory Management System for Trust owned Therapy Bedding	HILL-ROM	09/04/2013
Osmometer - Consumables	Vector Scientific & Ulster Anaesthetics Ltd	20/03/2013
Through Floor Lifts - Maintenance	Olympic Lifts	27/03/2013

<b>Contract Description</b>	<b>Supplier Name</b>	<b>Contract Award Date</b>
PaLS - Stairlifts - Maintenance	Olympic Lifts	27/03/2013
Thermostatic Mixing Valves Servicing and Testing	DMC Shower Services	27/03/2013
Lot 9 - Frozen Bread, Speciality Bread	Henderson Foodservice Ltd	22/03/2013
Supply and Delivery of Ready Meal Containers (CPET) and Sealing Film Lot 2 Peelable Lidding Heat Sealable Film	Wrapid Manufacturing Ltd	22/03/2013
Supply and Delivery of Patient Moving and Handling Equipment for Daily Living	ArjoHuntleigh (Ireland) Ltd	21/03/2013
Supply and Delivery of Simple Equipment and Seating for Daily Living	Tools For Living ( Ireland)	21/03/2013
PaLS - Maintenance and Testing of Bed Pan Washers	ArjoHuntleigh (Ireland) Ltd	21/03/2013
NHS Supply Chain - Batteries and Torches	H-Squared Electronics Ltd	01/04/2013
Provision of an Eye Care Voucher Service	Specsavers Optical Superstores Ltd	25/03/2013
Supply and Delivery of Patient Moving and Handling Equipment for Daily Living	Evolution Healthcare Limited	21/03/2013
Testing Systems for HLA Molecular Typing and Antibody Profiling	VH Bio Ltd	25/03/2013
Supply and Delivery of Simple Equipment and Seating for Daily Living	Sidhil Ltd	21/03/2013
Supply and Delivery of Simple Equipment and Seating for Daily Living	Bridge Medical Services	21/03/2013
Testing Systems for HLA Molecular Typing and Antibody Profiling	Quest Biomedical Ltd	25/03/2013
Supply and Delivery of Patient Moving and Handling Equipment for Daily Living	John Preston & Co Ltd	21/03/2013
Supply and Delivery of Patient Moving and Handling Equipment for Daily Living	Lisclare Limited	21/03/2013
Supply and Delivery of Simple Equipment and Seating for Daily Living	Evolution Healthcare Limited	21/03/2013
Supply and Delivery of Community Profiling Beds	Sidhil Ltd	21/03/2013
Supply and Delivery of Patient Moving and Handling Equipment for Daily Living	HILL-ROM	21/03/2013
Supply and Delivery of Simple Equipment and Seating for Daily Living	coffey Healthcare	21/03/2013
Cover Slipper	Vector Scientific & Ulster Anaesthetics Ltd	28/03/2013
Tissue Cassette Printer	Sakura Finetek UK LTD.	25/03/2013

\* The Immunoglobulins contracts were awarded against a framework agreement. Date of contract award is not available but the start date of the contract was 1 June 2013.

\*\* This was also awarded against a framework agreement – the date of award of that framework agreement is 20th September 2012, however, the contract to Armstrong Medical Limited was awarded on 29th March 2013.

### **Business Services Organisation: Newsletter**

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety why the last monthly newsletter published on the Business Services Transformation Programme website was for the month of February 2013; and when the newsletters for March, April, May and June 2013 will be published.

**(AQW 24487/11-15)**

**Mr Poots:** The BSO BSTP newsletters for March, April, May and June 2013 were not produced due to limited staff resources. However, going forward, the programme plan is to provide a summer edition by the end of July 2013 and to provide quarterly reports thereafter.

### Procurement: BSO Contracts

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 24003/11-15, to list the supply contracts still to be awarded by the Business Service Organisation's Procurement and Logistics Service for which the deadline for submission of the original tenders was a date prior to 16 March 2013, including the (i) tender title; and (ii) deadline for submission.

**(AQW 24488/11-15)**

**Mr Poots:** The supply contracts still to be awarded by the Business Service Organisation's Procurement and Logistics Service for which the deadline for submission of the original tenders was a date prior to 16 March 2013 are shown in the table below.

Tender Description	Original Close Date
Qualification ITT Pleural Drainage and Suction Devices	28/09/2012
Provision of Transport Services - SHSCT - Qualification and Technical Responses	02/11/2012
Nutrition Supply Services - Primary and Secondary Care Northern Ireland	28/12/2012
Supply of Dose Banded Cytotoxic Pharmaceuticals	28/12/2012
PaLS - Calibration of Test Equipment	07/01/2013
PaLS - Regional Information System for Oncology and Haematology Market Sounding	08/03/2013

### Paediatric Congenital Cardiac Services: Safe and Sustainable Standards

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, given that the same process that was conducted in Great Britain has now been deemed flawed by the UK Secretary of State for Health, for his assessment of the credibility of the findings of the Safe and Sustainable Review Process report into paediatric cardiac surgery in Belfast.

**(AQW 24527/11-15)**

**Mr Poots:** My Department is considering the Independent Reconfiguration Panel's report to determine whether any of its recommendations are of immediate relevance to the Northern Ireland review of paediatric congenital cardiac services (PCCS). While the initial commissioning framework for PCCS in Northern Ireland, that was consulted on in 2012 by the Health and Social Care Board (HSCB), drew on the safe and sustainable standards the final standards for Northern Ireland, recommended by the PCCS Working Group and endorsed by the HSCB, have been tailored to reflect the particular needs and circumstances of the Northern Ireland population, informed by the local consultation process. My key priority is to ensure the delivery of a safe and sustainable service for these vulnerable children.

### Paediatric Congenital Cardiac Services: Safe and Sustainable Standards

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, in relation to cardiac procedures completed in Northern Ireland, whether he has considered adopting the Independent Reconfiguration Panel's recommendation that children and adults procedures should be counted together towards a surgeons overall total number of cardiac procedures.

**(AQW 24528/11-15)**

**Mr Poots:** My Department is considering the Independent Reconfiguration Panel's report to determine whether any of its recommendations are of immediate relevance to the Northern Ireland review of paediatric congenital cardiac services.

### Integrated Care Partnerships: Community Representation

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how the community sector will be represented on Integrated Care Partnerships; and who will nominate the community representatives.

**(AQW 24535/11-15)**

**Mr Poots:** The work of each ICP will be overseen by a Partnership Committee whose members are drawn from the various collaborating organisations and will include one representative of the Community and Voluntary sector and two service user/carer representatives. The Community and Voluntary sector will also be represented on ICP working groups which will be established for the short term to focus on specific conditions.

The HSCB arranged a briefing with representatives of the sector in collaboration with CO3 and the Long Term Conditions Alliance NI for Wednesday, 26th June, to provide an update on how ICPs are being established and the role of the community and voluntary sector within ICPs. This is to be followed up with a workshop in early July. It is expected that the Community and Voluntary Sector will develop a consensus approach and manage the process for nomination to ICPs.

## Bus Drivers: Job Description

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the job descriptions of bus drivers in the Belfast Health and Social Care Trust, including the pay scales.

**(AQW 24536/11-15)**

**Mr Poots:** I am advised that bus drivers in the Belfast Health and Social Care Trust are responsible for the safe transportation of clients between facilities/home/other venues, providing an efficient, safe and reliable service, contributing to the overall care of patients and clients. Bus drivers were originally graded at Band 2 (£14,294-£17,425) through the Agenda for Change (AfC) job evaluation process. These staff requested a review of their banding outcome and in May 2013 they were regraded at Band 3 (£16,271-£19,268); their job description will be updated to reflect this banding.

Some drivers employed by the Trust who were not included in the review group, e.g. were appointed (under the original Band 2 Job Description) after the review was submitted, but who claim to be undertaking duties identical to those staff within the review group, have submitted applications for review. This may result in their pay band being uplifted to the same grade as their colleagues if it is agreed that they are doing identical jobs.

## Learning Disability Day Care Staff: Pay Scales

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety whether all Belfast Health and Social Care Trust learning disability day care staff are on the same pay scales.

**(AQW 24537/11-15)**

**Mr Poots:** I am advised that the Trust currently has different grades of staff working within learning disability day care on the following pay bands: Band 3 (£16,271 - £19,268), Band 4, (£18,838 - £22,016), Band 5 (£21,388 - £27,901), Band 6 (£25,783 – £34,530, and Band 7 (£30,764 - £40,558).

## Day Centre Attendance: Incentives

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety what incentives for adults to attend day centres are offered by each Health and Social Care Trust.

**(AQW 24538/11-15)**

**Mr Poots:** The history of this payment dates back to when workshop and resource centres offered incentives to clients attending their services. This type of day care has now changed to one which offers more person-centred day opportunities and incentive payments are considered not to be in keeping with this change.

However, those clients who had historically received reward incentives for work undertaken in the workshop model retained those payments in line with the regional approach. New clients attending adult day centres do not receive incentives.

## Weight Loss: GP Expenditure

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety how much has been spent by GPs in the Northern Health and Social Care Trust area on private weight loss groups or programmes.

**(AQW 24544/11-15)**

**Mr Poots:** The Health and Social Care Board (HSCB) has informed me that it is not aware of any spend by GPs in the Northern Trust area on private weight loss groups. However, a Commercial Weight Loss Pilot Scheme, funded by the HSCB, is currently being operated across Northern Ireland in cooperation with the Public Health Agency. The scheme is a voucher based system that allows GPs refer patients, who meet the criteria, to commercial weight loss classes.

I can confirm that there have been 5,079 referrals to date, and 660 of these have been made by GPs in Northern Trust area. The cost (excluding printing and postage) to date of referrals from GPs in the Northern Trust area is estimated at £31,752.

## Respite and Day Care Centres: Closures

**Mr McQuillan** asked the Minister of Health, Social Services and Public Safety for an update on any consultations taking place on the possible closure of adult respite and day care centres.

**(AQW 24546/11-15)**

**Mr Poots:** I recognise that respite/short breaks and day care provision are a cornerstone of support to families and carers of adults with a learning disability.

I am advised by the Northern Health and Social Care Trust that they have no plans for the closure of any current day care facilities for adults with learning disability. They are keen to develop a range of respite/short breaks services to support carers and intend to commence an initial engagement process with stakeholders in September. The Belfast and the South Eastern Health and Social Care Trusts have no consultations taking place on these services.

The Southern Health and Social Care Trust indicate that they are currently in the early stages of reviewing their adult respite and day care facilities. The Western Health and Social Care Trust are undertaking a review of respite provision across the

Trust, both statutory and non-statutory. This is due to conclude in March 2014. These separate reviews have not yet been completed, therefore neither Trust are presently in a consultation process.

### Stillbirths: Ulster Hospital

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the number of still births at the Ulster Hospital over the last two years.

**(AQW 24548/11-15)**

**Mr Poots:** Information on the number of still births at the Ulster Hospital is published on an annual basis in the Northern Ireland Hospital Statistics: Inpatient and Day Case Activity publication (Table 4c) and is available to view or download from: [http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/inpatients.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/inpatients.htm)

Information for 2012/13 is due to be published on the 8th August 2013.

### Mental Health: Transforming Your Care Funding

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline the proposed funding that will be allocated through Transforming Your Care to (i) mental health; and (ii) suicide awareness and prevention services.

**(AQW 24563/11-15)**

**Mr Poots:** The HSCB has advised that of the £70m transitional funding sought to aid implementation of Transforming Your Care (TYC) reforms over the 3 year period 2012/13-2014/15, it is anticipated that £2m will be ringfenced specifically for mental health services. In addition, nearly £13m is being invested over three years to 2014/15 from outwith the TYC transitional funding to support the development of community care, prevention/early intervention activities and resettlement of existing long stay residents. These figures do not include Department of Social Development Supported Living monies.

In addition, the Public Health Agency funds suicide prevention and bereavement support services. Total annual funding for these services in recent years has been around £7m. This includes investment in community led programmes.

### Transplants: Waiting List

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety how many people were awaiting an organ transplant procedure, in each of the last five years.

**(AQW 24577/11-15)**

**Mr Poots:** The information requested has been supplied by NHS Blood and Transplant, which is the organ donation organisation for the UK and is responsible for matching and allocating donated organs.

The information is shown in the following table –

#### Northern Ireland residents on the UK active transplant list as at 30 June 2009 -2012 and 23 June 2013

Organ	June 2009	June 2010	June 2011	June 2012	June 2013
Kidney	220	196	187	158	158
Kidney/pancreas	4	5	6	8	5
Pancreas	0	1	0	0	1
Heart	1	2	2	5	7
Lung	8	9	10	10	7
Heart/lung	2	1	0	0	0
Liver	10	16	15	20	19
Other multi organ	0	0	0	3	2
<b>Total</b>	<b>245</b>	<b>230</b>	<b>220</b>	<b>204</b>	<b>199</b>

**Source** – NHS Blood and Transplant.

**Note:** 'Active' means the patient is currently in a state to receive a transplant.

### Organ Donation: Register

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety how the organ donation register is kept up to date and accurate.

**(AQW 24578/11-15)**



**Mr Poots:** The information requested has been supplied by NHS Blood and Transplant (NHSBT), which is the organ donation organisation for the UK and is responsible for matching and allocating donated organs, and running the NHS Organ Donor Register (ODR).

NHSBT has implemented a range of processes to ensure that data held on the ODR is kept up to date and accurate. Existing records on the ODR are retraced, and new records are traced using registrants' NHS/Health and Care Number. For registrants who reside in Northern Ireland (NI), their records are traced every 6 months. NHSBT is currently working to improve the tracing system for NI by increasing the frequency; they expect the improved process to be in place by the end of 2013.

All UK records are retraced annually by registrants' date of birth in addition to NHS/Health and Care Number to again ensure accuracy of information. NHSBT also have in place a monthly sample checking with Boots, DVLA and all other ODR registration partners to detect issues with registration data, and to ensure that data provided is accurate and up to date.

NHSBT has recently completed a full data cleanse of the ODR. Individuals currently registered on the ODR can also help keep records up to date by notifying NHSBT either online or by telephone, when their personal details change. In addition, individuals can also amend their wishes to specify which organs they wish to donate.

### **Life Expectancy: North Antrim**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to list, in ascending order, the life expectancy in each ward of the North Antrim constituency.

**(AQW 24587/11-15)**

**Mr Poots:** Due to the small numbers involved, life expectancy estimates are not available for individual electoral wards in Northern Ireland.

### **Life Expectancy: Electoral Wards**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety to list, in ascending order, the life expectancy in each electoral ward.

**(AQW 24588/11-15)**

**Mr Poots:** Due to the small numbers involved, life expectancy estimates are not available for individual electoral wards in Northern Ireland.

### **Prisoners: Prescription Medication**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety whether prisoners, who are in receipt of prescribed medication, sign a contract, and if so, to provide a copy.

**(AQW 24599/11-15)**

**Mr Poots:** Any prisoner who has been risk assessed and found to be capable of managing and being 'in-possession' of his/her own medication during detention is required to complete a Prisoner Medication Policy form.

The form outlines the monitoring arrangements in place to ensure that prisoners use their medications as intended by the doctor and are not misusing or trading medications which can lead to addiction and other adverse health outcomes. It also highlights the sanctions in place in the event that prescribed drugs have been misused.

The form is signed by the prisoner and one copy is retained by the prisoner and one copy is retained by the Trust in the prisoner's medical notes.

A copy of the Prisoner Medication Policy form is attached.

### **Card Before You Leave Scheme**

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety what arrangements are in place in the South Eastern Health and Social Care Trust to ensure that patients residing in the Belfast Health and Social Care Trust area get a full psychiatric assessment within 24 hours when they are assessed as eligible for the Card Before You Leave appointment system.

**(AQW 24627/11-15)**

**Mr Poots:** The Card Before You Leave (CBYL) scheme was introduced for patients who present to an Emergency Department and who are assessed as posing no immediate risk to themselves or others but who may benefit from a follow-up appointment with the mental health team. These patients are given a card with a next day appointment with a member of the mental health team, who will assess them and arrange any on-going care and support that may be required.

In the South Eastern Trust, individuals eligible under the CBYL scheme who reside in the South Eastern Trust area are given a CBYL with a next day appointment at the local Mental Health Assessment Centre.

If the individual does not reside in the South Eastern Trust area, the South Eastern Trust will make a referral to the individual's local Trust, whose responsibility it is to offer a next day appointment, or agree an alternative service with them as required.

### Fire and Rescue Service: Female Facilities

**Mr Ó hOisín** asked the Minister of Health, Social Services and Public Safety how many Fire and Rescue Service stations do not have female specific toilet facilities; and where these stations are located.

**(AQW 24645/11-15)**

**Mr Poots:** All fire stations have specific female toilet facilities.

### Patients: Hospital Treatment in London

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, in instances where a patient has been referred for emergency treatment to a hospital in London for specialist surgery which is not available in Northern Ireland, what patient waiting time is deemed appropriate; and what action he has taken to support the treatment of such patients in a timely manner.

**(AQW 24657/11-15)**

**Mr Poots:** I have been advised by the Health and Social Care Board that:

- Patients identified as requiring emergency (i.e. unscheduled) treatment will be treated in order of clinical priority relative to other patients waiting for emergency treatment at the receiving hospital;
- Patients identified as requiring urgent elective (i.e. planned) treatment will be treated in order of clinical priority;
- Patients identified as requiring non urgent/routine elective treatment will be treated in the order in which they have been registered on the appropriate waiting list.

This is the standard approach which all NHS hospitals employ both inside and outside Northern Ireland. In the event that a patient feels this has not occurred a complaint should be made to the Board and the matter will be fully investigated.

### Smoking: Ban in Cars

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 21420/11-15, whether he has launched a consultation on the banning of smoking in cars, in line with his previous commitment; and if not, when the consultation will be launched.

**(AQW 24674/11-15)**

**Mr Poots:** I have written to Ministerial Colleagues regarding consultation on a range of options for prohibiting smoking in private vehicles. I plan to address this matter in the near future. My Department is currently focused on progressing the Tobacco Retailers Bill through the Assembly.

Efforts will also be made to educate and raise awareness amongst people in order to encourage them to voluntarily make their homes and private vehicles completely smoke-free.

### Accident and Emergency: Staffing at Antrim Area Hospital

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the (i) clinical; (ii) administrative; and (iii) medical staffing levels in the old Accident and Emergency department at Antrim Area Hospital compared to the new unit.

**(AQW 24677/11-15)**

**Mr Poots:** All staff at the Antrim Area Hospital Emergency Department fall into the Administrative & Clerical, Nursing, or Medical staff groups. Headcount and Whole-Time Equivalent (WTE) figures for each of these groups are shown in the table below. Figures for June 2012 are representative of the old unit; those for June 2013 are representative of the new unit. These figures have been obtained from the Northern Health and Social Care Trust, and have not been validated by the Department.

Grade	June 2012		June 2013	
	Headcount	WTE	Headcount	WTE
Admin & Clerical	26	18.24	28	19.70
Qualified Nursing <sup>1</sup>	59	41.90	65	58.90
Emergency Nurse Practitioner	4	3.32	62	5.32
Nursing Support	11	9.67	16	11.67
Junior Doctor	16	16.00	16	16.00
Mid-Grade Doctor	4	3.14	6	5.14
Consultant	6	6.00	8	8.00

**Source:** Northern Health and Social Care Trust

**Notes:** The Northern HSC Trust informs that 8 qualified nursing posts are currently at various stages of recruitment:

- 1 as at the 28th of June 2013 these posts are being covered by bank staff.
- 2 One (1.0 WTE) Emergency Nurse Practitioner post, included in this total, is being recruited for as at the 28th of June 2013.

### Accident and Emergency: Beds at Antrim Area Hospital

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the number of beds in the old Accident and Emergency department at Antrim Area Hospital compared to the new unit.

**(AQW 24678/11-15)**

**Mr Poots:** It is assumed that this question refers to the number of cubicles in the old Accident & Emergency (A&E) department at Antrim Area Hospital compared to the new unit.

The old Antrim A&E department contained 24 cubicles whilst the new Antrim A&E department contains 31 cubicles. Each cubicle contains one trolley bed.

### Care Homes: Northern Trust Applications

**Mr Milne** asked the Minister of Health, Social Services and Public Safety how many people have applied for residential accommodation in statutory care homes within the Northern Health and Social Care Trust within the last two years; and how many applications were (i) accepted; and (ii) rejected.

**(AQW 24680/11-15)**

**Mr Poots:** This information is not centrally available and was therefore requested from the Northern Health and Social Care (HSC) Trust who advised that clients do not apply for statutory residential accommodation but rather an individual's needs are assessed to determine the need for residential accommodation. Once established, the client's needs are met, with client choice accommodated as far as possible. Placement would depend on availability and would not always be in a statutory care home.

### Care Homes: Northern Trust Closures

**Mr Milne** asked the Minister of Health, Social Services and Public Safety to detail (i) the cost to the Northern Health and Social Care Trust of holding 16 places in private care homes in anticipation of the closure of the 16 places currently occupied in the Westlands residential Care Home for (a) three months; and (b) six months prior to the announcement by the Trust of the home closure; and (ii) any subsequent costs incurred as a result of change of approach by his Department.

**(AQW 24681/11-15)**

**Mr Poots:** The Northern Trust have advised that no places were held in private care homes in anticipation of the closure of residential care homes therefore the Trust did not incur any costs.

No additional costs have been incurred by the Trust as a result of the decision not to proceed with the consultation.

### Learning Disabilities: South Eastern Trust

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many people in the South Eastern Health and Social Care Trust area are diagnosed with a severe learning disability.

**(AQW 24694/11-15)**

**Mr Poots:** Under the Quality & Outcomes Framework (QOF), GPs maintain a register of the number of patients aged 18 years and over with learning disabilities. The register includes all patients with learning disabilities, regardless of the severity of their condition. It is not possible to disaggregate the data to determine how many patients have severe learning disabilities.

As at 31 March 2013, there were 1,674 patients on the learning disability registers of GPs located in South Eastern Health and Social Care Trust area.

This figure has been determined based on the constituency in which the GP practice is located; it should be noted that patients may not reside in the constituency in which their practice is located.

### Eyesight: Primary and Post-primary Pupils

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety what measures his Department takes to assess pupils' eyesight at primary and post-primary level.

**(AQW 24727/11-15)**

**Mr Poots:** In line with national guidelines, all children in Northern Ireland, between the age of 4 and 5 years, undergo vision screening. Therefore, all children in Primary 1 are offered a vision screening test by School Nurses. In addition all "movement-in" children from Primary 2 to Primary 7, with no previous vision recorded on the Child Health Surveillance system (CHS), are also offered this vision screening test.

The vision screening service is carried out primarily to detect children with amblyopia, a form of cerebral visual impairment, and is orthoptic led within Secondary Care.

A screening service is not provided for post primary children. If there is any concern about a child's eyes or vision after the P1 vision screening, whether at primary or post primary level in school then the GP should be contacted or an eye test arranged with an Optometrist.

## Pomalidomide

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety whether he has any plans to run a clinical trial for Pomalidomide, which is being trialled in 12 centres across the UK as a treatment for myeloma.

**(AQW 24773/11-15)**

**Mr Poots:** Clinical trials are undertaken to allow data on the safety and efficacy of new drugs to be collected. Clinical trials of potentially beneficial new cancer treatments are managed by the Northern Ireland Cancer Trials Centre (NICTC), based within the Belfast Health and Social Care Trust (BHSCT).

The timing, location and also the selection of participants in any particular clinical trial will be determined on the basis of the trial protocol and the inclusion and exclusion criteria that are specified. These criteria are developed by the relevant research team and are not matters in which I or my Department would normally intervene.

I am advised by the BHSCT that a trial for the drug pomalidomide will proceed as planned this month.

## Fire and Rescue Service: North Down

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the occasions over the last twelve months in which fire crews in North Down have required back-up from neighbouring crews.

**(AQW 24777/11-15)**

**Mr Poots:** The table below outlines the number of occasions during 2012/13 when fire crews from North Down required back-up from neighbouring crews.

Station	Number of Occasions Requiring Back-Up
Bangor	19
Hollywood	6

## Questions: Answer Content

**Mr Swann** asked the Minister of Health, Social Services and Public Safety whether, in answers to written questions, he gives an answer that would be consistent if the same question was asked under a Freedom of Information request.

**(AQW 24797/11-15)**

**Mr Poots:** Under the Freedom of Information Act my Department is only required to provide information already held in recorded form. It does not have to create new information. However, in responding to Assembly Questions, my Department may create new information.

## VAT Avoidance Schemes

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether VAT avoidance schemes have been implemented within the Health Service.

**(AQW 24799/11-15)**

**Mr Poots:** I am not aware of any VAT avoidance schemes that have been implemented within my Department or its Arms Length Bodies.

## Dental Services: Hospital Admittance

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety (i) how many people were admitted to hospital for a tooth extraction because they were on medication that prohibited the procedure being carried out in a dental surgery in each year in the last five years; (ii) how many of these patients acquired an infection whilst in hospital for this procedure; and (iii) how many of the infected patients required a hospital stay as a result of an infection acquired.

**(AQW 24803/11-15)**

**Mr Poots:** Information is not available on the number of people admitted to hospital for a tooth extraction because they were on medication that prohibited the procedure being carried out in a dental surgery.

Information is available on the number of tooth extraction procedures carried out in HSC Hospitals in Northern Ireland in each of the last five years and is shown in the table below;

Year	Procedures
2007/08	7,806
2008/09	7,700
2009/10	7,714
2010/11	8,055

Year	Procedures
2011/12	8,005

**Source:** Hospital Inpatient System

It is not possible to tell how many of these patients acquired an infection whilst in hospital for this procedure or how many of the infected patients required a hospital stay as a result of an infection acquired.

### Lurgan Hospital: Rehabilitation Beds

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail his long-term plans for bed reductions at Lurgan Hospital, particularly in relation to the 16 rehabilitation beds at the hospital.

**(AQW 24804/11-15)**

**Mr Poots:** Lurgan Hospital has a total of 51 non-acute beds, of which 16 are stroke rehabilitation. The remaining 35 provide geriatric assessment and rehabilitation.

As part of the Transforming Your Care Population Plan implementation process the Southern Local Commissioning Group is currently working with the Southern Health and Social Care Trust to agree a future model of hospital care for older people across the southern area. However no decisions have yet been made. Work continues to develop the service model and identify the future need for such assessment and rehabilitation in-patient beds across the southern area.

Proposals for the future provision of assessment and rehabilitation inpatient care for older people will be finalised over the summer and presented to the Southern Health and Social Care Trust Board and the Southern Local Commissioning Group. If agreed they will then be subject to a public consultation process prior to any service changes being made.

### Organ Donation: Registered List

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many people were on the organ donor list in each of the last five years.

**(AQW 24809/11-15)**

**Mr Poots:** The information requested has been published by NHS Blood and Transplant, which is the organ donation organisation for the UK and is responsible for matching and allocating donated organs.

The number of Northern Ireland registrants on the organ donor register in is shown in the following table:

Year	2008/09	2009/10	2010/11	2011/12	2012/13
Number of NI registrants	440,123	477,150	484,748	520,975	550,629

### Cardiographers: Pay Bands

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety why cardiographers in the Western Health and Social Care Trust are banded at Band 2 when cardiographers with the same job description are banded at Band 3 in the other Health and Social Care Trust.

**(AQW 24817/11-15)**

**Mr Poots:** I am advised that there are no Band 2 Cardiographers employed within the Western Trust. There are Band 2 Assistant Technical Officers working in Cardiac Investigation Departments in the Trust; this banding is under review. Their job summary is as follows: "To act as support staff to Cardio-Respiratory Clinical Physiologists in the provision of technical services in Cardiology and Respiratory Medicine."

It is not unusual that the job titles do not always indicate exactly the same level of responsibility and detail of role across different organisations.

### Adoption: LGBT Couples

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety (i) for an update on the ruling of the Court of Appeal on the adoption of children by gay, lesbian or unmarried couples; (ii) the cost of legal action to date; and (iii) whether any further legal action will be taken on this matter.

**(AQW 24866/11-15)**

**Mr Poots:** The Court of Appeal found against the Department in the case taken by the Northern Ireland Human Rights Commission against existing adoption law and guidance.

Officials will write to Health and Social Care Trusts and voluntary adoption agencies to make them aware of the judgment.

All courts have consistently made it clear that no one has a right to adopt. The ultimate decision with regard to any adoption will be that of the Court. The Court will be governed by what is in the best interests of the child, following a rigorous assessment of prospective adopters.

The cost of the legal action to date is approximately £40K.

I am currently considering an appeal to the Supreme Court.

### **Craigavon Area Hospital: Psychiatric Intensive Care Unit**

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety when construction of the new psychiatric intensive care unit for Craigavon Area Hospital will commence.

**(AQW 24896/11-15)**

**Mr Poots:** Construction work on the new Psychiatric Intensive Care Unit at Craigavon Area Hospital commenced in February 2013 and work is due to be completed in April 2014.

### **GPs: Quality and Outcomes**

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety how much additional administration time will be incurred in GP practices by raising the Quality and Outcomes Framework thresholds in 23 areas of GP contracts.

**(AQO 4448/11-15)**

**Mr Poots:** Out of a total of 121 Quality and Outcomes indicators, performance thresholds were increased by 13 indicators, not 23 as stated by the member. The 13 indicators are clinical outcomes which are recorded automatically by computer extract and therefore no additional administrative time will be required.

The changes to the thresholds within the Quality and Outcomes Framework (QOF) were agreed with GPC NI with the key aim of promoting improvements in the quality of care for patients.

The provision of safe, sustainable healthcare for patients is my primary focus.

### **Social Workers: Travel Allowance**

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety what impact the changes to travel allowances will have on Social Workers.

**(AQW 24939/11-15)**

**Mr Poots:** The rates of reimbursement for business travel applicable from 1 July 2013 are the same for all HSC Agenda for Change staff which includes Social Workers. HSC employers have carried out a scoping exercise on all staff impacted by the changes to travel allowances which indicates that over 70 per cent will gain under the revised arrangements.

### **Causeway Hospital: Options Appraisal**

**Mr Storey** asked the Minister of Health, Social Services and Public Safety for an update on the option appraisal in relation to management at the Causeway Hospital.

**(AQO 4449/11-15)**

**Mr Poots:** Preparatory work on the appraisal of the 3 options for the future management arrangements for the Causeway Hospital, identified during the TYC consultation exercise, has commenced. The work will be informed by the recent report of the Turnaround and Support Team on the Northern Health and Social Care Trust and be taken forward by my Department, with inputs from the Health and Social Care Board, the Northern Health and Social Care Trust, the Western Health and Social Care Trust and others, as required.

The team's report signalled the need to remove any sense of uncertainty in regards to the future management arrangements for Causeway Hospital. I am very keen to remove that uncertainty as soon as possible.

The objective is to ensure that we have effective delivery of safe, sustainable and resilient services for patients and clients served by the Causeway Hospital.

### **Arm's-length Bodies: Accountability**

**Mr Clarke** asked the Minister of Health, Social Services and Public Safety for an update on his plans to have public meetings in order to hold arm's length bodies to account.

**(AQO 4450/11-15)**

**Mr Poots:** I held my first Public facing accountability meeting with Northern Ireland Ambulance Service (NIAS) on Tuesday 25th June. The meeting provided me with an opportunity to hold NIAS to account around issues of public interest and served to raise public awareness of the important work of NIAS. It also provided an opportunity not only for the public to listen in on this type of meeting, but also to submit questions of their own to be answered by the most senior people in the organisation. My intention is to hold the next meeting with Belfast Health and Social Care Trust in the next few months.

## Afghanistan: 204 Field Hospital

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety if he plans to recognise Health Service employees who served with the 204 Field Hospital in Afghanistan.

**(AQO 4452/11-15)**

**Mr Poots:** I am fully supportive of and have recognised the health service staff that deployed with 204 Regiment to Afghanistan. I hosted a reception for them and their families on 11 November 2012 at Hillsborough Castle. I visited Army Medical Services Training Centre (AMSTC) near York on Friday 11 January 2013 whilst 204 were undertaking the final part of their pre-deployment training. I attended the Service of Thanksgiving and Medal Parade on Sunday 9 June 2013 at Hillsborough Castle following their successful deployment when operational service medals were presented. I hosted a Summer Ball for 204 in Parliament Buildings on 22 June 2013.

## Paediatric Congenital Cardiac Services: Royal Victoria Hospital

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety will the recent announcement by the Secretary of State for Health on children's cardiac services have an impact on the review of children's cardiac services at the Royal Victoria Hospital.

**(AQO 4453/11-15)**

**Mr Poots:** Mr Speaker, with your permission, I will answer questions 11 and 14 together, as they both relate to the future commissioning of paediatric congenital cardiac services (PCCS) for the population of Northern Ireland. My Department is considering the Independent Reconfiguration Panel's report to determine whether any of its recommendations are of immediate relevance to the Northern Ireland review. While the initial commissioning framework for the paediatric congenital cardiac services (PCCS) in Northern Ireland, that was consulted on in 2012 by the Health and Social Care Board (HSCB), drew on the safe and sustainable standards the final standards for Northern Ireland, recommended by the PCCS Working Group and endorsed by the HSCB, have been tailored to reflect the particular needs and circumstances of the Northern Ireland population, informed by the local consultation process.

I met with the Republic of Ireland's Minister for Health, Dr James Reilly TD, on 8th May 2013 to discuss whether there is any scope for flexibility in the location for the future delivery of this service. I asked Minister Reilly to give consideration to a two centre model potentially providing PCCS services in both Belfast and Dublin. Consideration of this proposal is continuing at official level to determine whether such a model would be feasible. I will make my decision on this as soon as possible.

My overriding priority is to ensure the delivery of a safe and sustainable service for these vulnerable children.

## Bangor: Health and Well-being Centre

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety for an update on any plans for a Health and Wellbeing centre in Bangor.

**(AQO 4454/11-15)**

**Mr Poots:** Following my announcement of the Lisburn and Newry schemes, and the completion of the consultation process on "Vision to Action", the HSCB in conjunction with LCGs and Trusts has been asked to review the indicative hub and spoke model as set out in Transforming Your Care with a view to bringing forward over the next few months a prioritised list of projects for consideration within the available resources. Bangor Health Centre will be considered as part of this process.

## Sexual Assault

**Mrs Hale** asked the Minister of Health, Social Services and Public Safety what developments there have been to assist the victims of sexual assault.

**(AQO 4455/11-15)**

**Mr Poots:** The first Regional Sexual Assault Referral Centre (SARC) in Northern Ireland, known as The Rowan, opened its doors on 7 May 2013 (to PSNI referrals in the first instance). From Monday 2 September 2013, all adult victims will be able to self refer into the service.

The Rowan, delivering a 24/7 service 365 days per annum will raise the standards of care for all victims (male and female adults and children) of sexual assault in Northern Ireland.

The ultimate objective of The Rowan is to make a positive difference for men, women and children who have been sexually violated by helping them recover good mental health and well being.

The Rowan will offer victims a range of services including a comprehensive assessment of their needs and depending upon those assessed needs, various support/ agreed care pathways will be followed. The emotional needs and psychological wellbeing of the victim will be considered and if required an adult victims who self refers will be supported in making a report to the PSNI.

## Paediatric Congenital Cardiac Surgery: Belfast

**Mr A Maginness** asked the Minister of Health, Social Services and Public Safety what steps are being taken to ensure that the paediatric congenital cardiac surgical service continues in Belfast.

**(AQO 4456/11-15)**

**Mr Poots:** Mr Speaker, with your permission, I will answer questions 11 and 14 together, as they both relate to the future commissioning of paediatric congenital cardiac services (PCCS) for the population of Northern Ireland. My Department is considering the Independent Reconfiguration Panel's report to determine whether any of its recommendations are of immediate relevance to the Northern Ireland review. While the initial commissioning framework for the paediatric congenital cardiac services (PCCS) in Northern Ireland, that was consulted on in 2012 by the Health and Social Care Board (HSCB), drew on the safe and sustainable standards the final standards for Northern Ireland, recommended by the PCCS Working Group and endorsed by the HSCB, have been tailored to reflect the particular needs and circumstances of the Northern Ireland population, informed by the local consultation process.

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My overriding priority is to ensure the delivery of a safe and sustainable service for these vulnerable children.

## Department of Justice

### Legal Services Commission: Appointments

**Mr Allister** asked the Minister of Justice, pursuant to AQW 22820/11-15, whether appointments to the Northern Ireland Legal Services Commission at Deputy Principal and above are made at the mid-point of the scale following external recruitment; and to outline how many Executive Officers and Staff Officers were recruited externally since 2003, broken down by year, and the point on the salary scale that each started.

**(AQW 24187/11-15)**

**Mr Ford (The Minister of Justice ):** Permanent appointments to posts at Deputy Principal and Grade 7 are subject to the mid point of the salary following external recruitment, except in cases where existing NILSC staff are successful in which case promotion rules apply.

Appointment to Director posts within the NILSC are publicly advertised; the remuneration is determined by the recruitment panel, with the approval of the NILSC Board.

The number of Executive Officers and Staff Officers appointed since 2003, broken down by year, is outlined in the table below.

Year	Number of Executive Officers Appointed	Number of Staff Officers Appointed
2003	0	0
2004	0	0
2005	0	4
2006	1	4
2007	0	2
2008	0	0
2009	1	2
2010	0	1
2011	0	1
2012	0	1
2013	0	0
<b>Total 2003 – to date</b>	<b>2</b>	<b>15</b>

It is not possible to provide information on the point of the salary scale that each appointee started on as to do so would be contrary to the Data Protection Act 1998 and would effectively identify those involved.



## Desertcreat Training College: Tenders

**Mr McGlone** asked the Minister of Justice what due diligence assessment has been carried out on the ability of companies that tendered for the works at Desertcreat Training College to fulfil the financial aspects of the contract.

**(AQW 24328/11-15)**

**Mr Ford:** In accordance with the normal process adopted for construction contracts in the public sector, the financial standing of all bidders is undertaken by the independent financial assessor – Constructionline. Constructionline is a Public Private Partnership vehicle between the UK Department of Business Innovation and Skills and Capita PLC.

Constructionline applies a standard financial assessment formula which looks at a supplier's financial viability and established track record for successfully delivering contracts. Factors considered include last reported annual turnover, net assets and the average value of references obtained. Bidders are required to meet a pre-determined 'notation level' to allow them to proceed to the tender stage.

In the case of Desertcreat, the bidders were all assessed at the pre-qualification (shortlisting) stage prior to being invited to tender and were found to be above the required 'notation level' and, therefore, of sound financial standing from the perspective of carrying out this construction contract.

This assessment will be undertaken again prior to the appointment of a preferred bidder and prior to the subsequent award of the construction contract.

## Prison Service: Director of Estates

**Lord Morrow** asked the Minister of Justice, in relation to the answer provided by the Director of Estates for the Northern Ireland Prison Service to the Committee for Justice on 16 May 2013 when asked about the confidence in the robustness of procedures in terms of physical and mental health and suicide risk of prisoners, he stated, 'In the last death in custody report the Prisoner Ombudsman made the point that she is satisfied with the existing processes and procedures but that those can be no substitute for common sense and compassion'; and given that the last death in custody report highlighted 44 issues of concern surrounding the Supporting Prisoner at Risk processes, procedures and appropriate level of care; to clarify which report the Director referred to.

**(AQW 24334/11-15)**

**Mr Ford:** The Director of Estates was referring to the Prisoner Ombudsman's report into the near death of Mr C. His statement was not a verbatim quote from the report but reflected the Prisoner Ombudsman's public statements at the time of publication of the report, including comments in her investigation report which acknowledged that efforts have been made by the Northern Ireland Prison Service to improve the arrangements for protecting prisoners at risk of self harm.

## Prisoners: Unlawfully at Large

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23178/11-15, from the figures provided of prisoners who absconded whilst on compassionate bail, how many (i) were arrested during or following the commission of another offence; (ii) handed themselves in to police or presented back at prison; (iii) were detected and arrested specifically for absconding; and (iv) remain unlawfully at large.

**(AQW 24336/11-15)**

**Mr Ford:** The response to the question is contained in table A below. Please note that it is not possible to answer part (ii) as this information is not recorded in NIPS records.

**Table A**

	2011	2012
Number of prisoners who absconded from Compassionate Bail	17	10
(i) Number of prisoners unlawfully at large (UAL) who were arrested during or following the commission of another offence;	2	1
(ii) Number of prisoners UAL who handed themselves in to police or presented back at prison;	N/A	N/A
(iii) Number of prisoners UAL who were detected and arrested specifically for absconding; and	2	0
(iv) Number of prisoners who remain UAL.	2	0

## Prison Service: Incorrect Answers

**Lord Morrow** asked Minister of Justice (i) whether he will conduct a review following the number of incorrect written answers, reported as administrative errors, provided to him by the Northern Ireland Prison Service; (ii) what steps he will take to ensure that in future written answers are quality assured for relevance and accuracy prior to being provided to him and elected

representatives; and (iii) for his assessment of whether responses which are incorrect have a detrimental impact on public confidence and can cause embarrassment to MLAs acting on behalf of constituents.

**(AQW 24337/11-15)**

**Mr Ford:**

- (i) I do not intend to conduct a review into written answers provided by the Northern Ireland Prison Service (NIPS).
- (ii) Officials have informed me that every effort will be made to continue to answer the high volume of questions received correctly and within Assembly deadlines.
- (iii) I refer to part (ii) of my answer and I accept that incorrect information provided to the public by an elected representative may have a detrimental impact on public confidence.

### **Prisoners: Leave to Attend a Wedding**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22586/11-15, to detail (i) if the approving Governor sought permission from the Governor at Maghaberry and, if not, why not; (ii) who sanctioned the accompaniment of Mr Parker to the wedding by the approving Governor; (iii) the number of duty hours performed by the Governor and the cost to the Northern Ireland Prison Service; (iv) the custom and practice, in cases of temporary release of prisoners, in terms of the grade of the accompanying member of staff; (v) the number of times during the last five years that this Governor approved the temporary release of prisoners and accompanied them outside prison; and (vi) whether the Governor accepted the same hospitality as other guests at the wedding.

**(AQW 24356/11-15)**

**Mr Ford:**

- i The Governor in question did not require the permission of the Governing Governor to escort Mr Parker outside of the establishment, as the accompanied temporary release was within guidelines. Further to this, all Governors have the power of escort.
- ii. The approving Governor was at this time responsible for the management of all Life Sentenced prisoners in Northern Ireland and as such made the operational decision to escort Mr Parker to his niece's wedding.
- iii. The Governor grade in the Northern Ireland Prison Service does not attract payment for any additional hours worked, and as such there was no additional cost to the prison service in relation to the Governor escorting Mr Parker to the wedding.
- iv. Main Grade officers normally escort prisoners on temporary release but from time to time other grades carry out this function. This is helpful for a variety of reasons, including the writing of reports and monitoring of prisoner's behaviour.
- v During the past five years the Governor has not had the operational responsibility for life sentenced Prisoners and therefore has not approved or accompanied any Life Sentenced prisoner on temporary release.
- vi. I understand that the Governor was given limited hospitality, by way of a meal.

### **Prisoners: Leave to Attend a Funeral**

**Lord Morrow** asked the Minister of Justice, Pursuant to AQW 23068/11-13, to detail (i) the grade of staff who conducted the review in to the assessment of applications for prisoner attendance at funerals of close family members; (ii) the dates the review commenced and concluded; (iii) the terms of reference; and (iv) whether the Prisoner Ombudsman has been informed of the outcome and conclusions of the review.

**(AQW 24364/11-15)**

**Mr Ford:** Staff in Prison Service Headquarters examined the way in which applications for compassionate temporary release are considered during late 2012 and early 2013. This included applications to attend funerals, requests for graveside visits and visits to critically ill relatives, under both Prison Rule 27, when the prisoner may be granted temporary release and under Section 18 of the Prison (NI) Act 1953, when a risk assessment determines that a prisoner must be removed under escort.

The decision to delegate such decisions (other than in respect of Category A prisoners) to Governors was ratified by the Director of Offender Services and the Director General. The Prisoner Ombudsman has been informed of this decision.

### **Prisoners: Transfer from Foyleview to Maghaberry**

**Mr Clarke** asked the Minister of Justice how many prisoners, who served their time in Foyle View, had to be transferred back to Maghaberry Prison for a breach of prison rules, in each of the last five years.

**(AQW 24395/11-15)**

**Mr Ford:** There have been no prisoners transferred back to Maghaberry Prison from Foyleview in each of the last five years.

## Prison Officers: Duty Records

**Mr Clarke** asked the Minister of Justice to detail the number of prison officers on duty, broken down by (i) prison; (ii) prison wing; and (iii) type of accommodation, in each of the last five years.

**(AQW 24396/11-15)**

**Mr Ford:** Information in the form requested is not readily available and could only be obtained at a disproportionate cost.

## Prisoners: Numbers

**Mr Clarke** asked the Minister of Justice to detail the number of prisoners in each (i) prison (ii) prison wing; and (iii) type of accommodation in each of the last five years.

**(AQW 24397/11-15)**

**Mr Ford:** In response to parts (i) and (ii), a snapshot has been provided at Annex A detailing the number of prisoners in each establishment recorded on the nominal roll at 31 December of each of the last 5 years.

The accommodation in Hydebank built in the 1970's has 5 self-contained houses – 1 of which, Ash House, has been designated as the women's prison.

Each house can accommodate approximately 60 inmates/prisoners in single cell accommodation.

Maghaberry has four Square Houses which were built in the 1980's and each block has 108 cells with the two Linear Blocks having 96 cells in each being added in the 1990's. In 2012 a new accommodation block (Quoile House) was completed with a capacity of 120 cells. Mourne House comprises of one 120 cell linear block and two blocks with a total of 56 cells.

Magilligan has three H Blocks, each having 108 cells, a modular unit of 50 cells, sectional unit with 82 rooms and a new, more self-efficient 60 cell linear block.

## Prisoners: Death in Custody

**Lord Morrow** asked the Minister of Justice, in relation to the investigation into the death in custody (from natural causes) of a prisoner at Magilligan Prison on 21 April 2012 by the Prisoner Ombudsman who raised as an issue of concern that staff felt unsupported, (i) to detail the reasons that senior prison staff are not providing the appropriate level of care and support necessary to meet the individual needs of staff; and (ii) given that this issue has been raised in a number of previous death in custody investigations, to provide an assurance that steps will be implemented at the earliest possible stage to manage these needs effectively and to prevent any recurrence.

**(AQW 24432/11-15)**

**Mr Ford:** Procedures are in place when dealing with a death in custody. A 'hot' debrief is completed immediately after an incident to give all staff involved the opportunity to discuss the incident and raise any issues and/or concerns, and if any additional support is required. Within two weeks of an incident a more comprehensive debrief also takes place.

The Governor of Magilligan prison spoke personally to Prison Service and Healthcare staff and thanked them for the quality of care they provided when dealing with the natural death in custody on 21 April 2012.

Support services for staff are well established but were not requested during these discussions. Staff can avail of support from Carecall and Occupational Health Services (including Psychology related services) at any time following a death in custody.

## Audited Accounts 2011-12

**Mr Girvan** asked the Minister of Justice to detail which of his Department's non-departmental public bodies post their audited accounts for the 2011/12 period on their websites.

**(AQW 24433/11-15)**

**Mr Ford:** The following Department of Justice non-departmental public bodies posted their audited accounts for the 2011/12 period on their websites:

- Probation Board for Northern Ireland [www.pbni.org.uk](http://www.pbni.org.uk)
- Criminal Justice Inspection Northern Ireland [www.ciini.org](http://www.ciini.org)
- Northern Ireland Law Commission [www.nilawcomrnission.gov.uk](http://www.nilawcomrnission.gov.uk)
- Northern Ireland Policing Board [www.nipolicingboard.org.uk](http://www.nipolicingboard.org.uk)
- Police Service of Northern Ireland (PSNI) [www.psni.police.uk](http://www.psni.police.uk)
- Northern Ireland Legal Services Commission [www.nilsc.org/jk](http://www.nilsc.org/jk)
- Police Rehabilitation and Retraining Trust (PRRT)\* [www.prrt.org](http://www.prrt.org)
- Office of the Police Ombudsman for Northern Ireland [www.policeombudsman.org](http://www.policeombudsman.org)
- Royal Ulster Constabulary George Cross Foundation [www.rucgcfoundation.org](http://www.rucgcfoundation.org)

\*201 1/12 PRRT was not classified as a non-departmental body but was reclassified with effect from 1 April 2013.

The following DOJ non-departmental public bodies did not post their audited accounts for the 2011/12 period on their websites:

**Northern Ireland Police Fund**

This body did not post its audited accounts for 2011/12 on its website however there are copies available in the Assembly Library. As a Company limited by Guarantee, the NI Police Fund lays its accounts in Companies House and these are available for the public to access at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk).

**Independent Assessor for PSNI Recruitment Applications**

There is no requirement for this body to prepare audited accounts and it does not have a web site.

## Prisoners: Compassionate Temporary Release

**Lord Morrow** asked the Minister of Justice how many prisoners applied for Compassionate Temporary Release in each of the last three years; and of these, how many were (i) refused; and (ii) granted, shown by prisoners deemed to be either republican or loyalist.

**(AQW 24445/11-15)**

**Mr Ford:** Compassionate Temporary Release, when a prisoner is allowed to leave custody unescorted for a set period of time under Prison Rule 27(2), is granted following the completion of a satisfactory risk assessment. In the absence of such a satisfactory risk assessment the Prison Service may decide to remove the prisoner under escort under Section 18(2) of the Prison (NI) Act 1953. Under the latter arrangements the prisoner remains in custody at all times.

With the exception of one case in 2012 and a further one in 2013 when CTR was granted the tables below represent prisoners who were removed from prison under escort. They relate to those prisoners housed under separated conditions in Roe (Republican) and Bush (Loyalist) as well as one application from a Republican female prisoner.

### 2011

	Republican	Loyalist
Total Applications	2	NIL
Refused	2	N/A
Granted	NIL	N/A

### 2012

	Republican	Loyalist
Total Applications	4	6
Refused	3	6
Granted	1	NIL

### 2013 (up to 31 May)

	Republican	Loyalist
Total Applications	3	4
Refused	2	2
Granted	1	2

## G8: PSNI Attendance

**Mr McMullan** asked the Minister of Justice, in relation to the G8 Summit 2013, to detail (i) the numbers of police personnel from East Antrim who have been transferred to duties relating to the Summit; (ii) the rank of the personnel; (iii) the areas of East Antrim from which personnel have been transferred; (iv) the budgetary implications for East Antrim, including the cost and whether expenses will be met from local budgets.

**(AQW 24449/11-15)**

**Mr Ford:** The issues raised are operational matters for the Chief Constable. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

## Prison Service: Appeals

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23885/11-15, to detail (i) why this information is being withheld under the Data Protection Act 1998 when the Northern Ireland Civil Service Appeals Board publishes the following information in its Annual Report (a) appeals withdrawn prior to hearing; (b) appeals struck out; (c) an analysis by Department or Agency; and (d) a synopsis of Appeals upheld by the Board; and (ii) if he will review the decision not provide information in his previous answer.

**(AQW 24456/11-15)**

**Mr Ford:**

- (i) The Northern Ireland Prison Service complies with the Principles at Section 4 and as detailed in Schedule 1 of the Data Protection Act 1998. To provide the information requested by the Member would be contrary to this.
- (ii) The Northern Ireland Civil Service Appeal Board, whilst sponsored by the Department of Finance & Personnel, acts independently when discharging its responsibilities. I cannot comment on the detail published in their Annual Report.

## Prisoners: Compassionate Temporary Release

**Lord Morrow** asked Minister of Justice, pursuant to AQW 23529/11-15, in relation to the three decisions by the Northern Ireland Prison Service in 2012 to refuse Compassionate Temporary Release to prisoners and the subsequent overturning of those decisions following judicial review, (i) to provide brief details of each case; and (ii) whether the Governor involved in the decision making process in the McManus case was also involved in processing any of the cases in 2012.

**(AQW 24469/11-15)**

**Mr Ford:** Two of the three decisions related to the same prisoner, who applied for compassionate temporary release to visit his baby in hospital.

The third decision related to a prisoner who applied to visit his father in hospital.

The Governor involved in the decision making process in the McManus case had no involvement in any of these cases.

## Maghaberry Care and Supervision Unit: Staffing

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 22957/11-15, given the circumstances and consequences surrounding the near death of 'Mr C' at Maghaberry Care and Supervision Unit, whether he will order a review into staffing levels at such units so as to ensure that a similar incident is not permitted to recur.

**(AQW 24471/11-15)**

**Mr Ford:** I have no plans to order a review of staffing levels at Maghaberry Care and Supervision Unit or other such units.

## Cigarettes: Illegal Trade in Ballymena

**Mr Swann** asked the Minister of Justice to outline the steps that are being taken to restrict the sale of illegal cigarettes in the Ballymena area.

**(AQW 24490/11-15)**

**Mr Ford:** The efforts to tackle illegal cigarettes are led by HMRC. They have advised that their principal focus and engagement is in disruption to seek to stop illegal cigarettes coming to the United Kingdom. To achieve this they will, for instance, engage with overseas Law Enforcement agencies.. Together with Border Force they will also seize illegal cigarettes being brought into the United Kingdom.

Where, as a result of reliable intelligence, they suspect illicit goods may be available for sale or are being stored in premises they will conduct visits to retailers and other premises.

Anyone knowingly importing or selling such goods can be prosecuted under section 170 of the Customs and Excise Management Act 1979.

## Cigarettes: Illegal Trade in Ballymena

**Mr Swann** asked the Minister of Justice, to detail, for the last five years (i) the number of seizures of illegal cigarettes in the Ballymena area; (ii) the number of arrests for selling illegal cigarettes in the Ballymena area; and (iii) the number of successful prosecutions and the sentences given to those selling illegal cigarettes.

**(AQW 24491/11-15)**

**Mr Ford:** Excise evasion on cigarettes is a matter for HMRC. HMRC have provided the following information.

Duty evaded on United Kingdom seized cigarettes in the last three years was £386 million (2010/11), £442 million (2011/12) and £518 million (2012/13) – HMRC does not collate these figures on a regional level and figures on seizures and arrests are not available.

There were six convictions for excise evasion in relation to tobacco in Northern Ireland during 2010/11, none in 2011/12 and 6 in 2012/13. In 2010/11, five people received suspended custodial sentences and one received a non custodial sentence.

In 2012/13 one person received a suspended custodial sentence, three received non custodial sentences and two were still awaiting sentencing at March this year.

I have recently issued a consultation on the adding of excise evasion offences in relation to tobacco (and fuel) to those offences which the Director of Public Prosecutions may refer to the Court of Appeal where he believes a sentence in the Crown Court is unduly lenient. This consultation runs until the end of August.

### **Cigarettes: Loss to HM Revenue and Customs**

**Mr Swann** asked the Minister of Justice to detail the estimated annual loss to HM Revenue and Customs from the sale of illegal cigarettes.

**(AQW 24492/11-15)**

**Mr Ford:** I have been advised by HMRC that the United Kingdom revenue lost on tobacco in 2012 was £1.8 billion. This figure is not broken down on a regional basis.

### **Cigarettes: Illegal Trade in Ballymena**

**Mr Swann** asked the Minister of Justice to detail the steps that the public can take to alert agencies confidentially to the sale of illegal cigarettes; and the number of reports that Crimestoppers has received regarding the sale of illegal cigarettes in the Ballymena area.

**(AQW 24493/11-15)**

**Mr Ford:** There are a number of options available to members of the public to report suspicions about the sale of illegal cigarettes. For instance, they may contact the PSNI, the HMRC hotline or, anonymously, Crimestoppers. The various numbers are readily available, including on the Organised Crime Task Force website.

Crimestoppers is an independent charity but has advised that it has received five pieces of intelligence regarding illegal cigarettes since 2005 which it has passed to the PSNI in Ballymena.

### **Cigarettes: Republican Terror Groups**

**Mr Swann** asked the Minister of Justice for his assessment of whether republican terror groups benefit from the proceeds of the sale of illegal cigarettes.

**(AQW 24495/11-15)**

**Mr Ford:** Despite publicly denouncing organised criminality, republican paramilitary groups remain dependent on organised crime to fund their activities. This can include tobacco smuggling.

### **Prison Officers: Disciplinary Action**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 21771/11-15, to detail the number of operational Prison Service staff who are (i) under disciplinary investigation; (ii) suspended from duty; (iii) awaiting a disciplinary hearing; (iv) charged with minor misconduct; (v) charged with gross misconduct; and (vi) awaiting determination of appeal.

**(AQW 24506/11-15)**

**Mr Ford:** To provide the information requested in relation to those under disciplinary investigation and those currently suspended from duty would be contrary to the Data Protection Act 1998.

At present there are no operational staff awaiting a disciplinary hearing, charged with either minor or gross misconduct, or awaiting the determination of an internal disciplinary appeal.

### **Prisoners: Supervised Medication**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23268/11-15 and in relation to supervised medication that is considered high value, tradeable medication, when will supervised swallowing of prescribed medication by prisoners at Maghaberry Prison be implemented.

**(AQW 24507/11-15)**

**Mr Ford:** Supervised swallowing of prescribed medication by prisoners is a matter for the South Eastern Trust.

### **Prison Review Team: Recommendations**

**Mr A Maginness** asked the Minister of Justice whether he will personally intervene in the prison reform process to bring all parties, agencies and departments together, given that 20 months after the publication of the Prison Review Team's report only 4 of the 40 recommendations have been completed.

**(AQW 24523/11-15)**

**Mr Ford:** One of my first actions following the publication of the Prison Review Team (PRT) report was to establish a Ministerial Oversight Group to oversee the implementation of the recommendations. I chair the Oversight Group which has a robust independent element. The Group also has representation from the Department of Health, Social Services and Public Safety.

The Oversight Group has met on a quarterly basis since November 2012 and it will continue to meet until it is satisfied that the PRT recommendations have been appropriately implemented.

The Prison Service continues to work with all partners who have a role to play in the reform programme. I hosted a partnership event on Thursday 27 June 2013, which brought together statutory, community and voluntary organisations involved in the reform of the prison system. This builds on a number of stakeholder workshops held earlier in this year.

This engagement will continue as work develops on the implementation of the 40 recommendations from the PRT Report. The reform of the prison system in Northern Ireland is a three year programme and it will take time to implement the recommendations in full. With the progress made to date, I am confident that the necessary reforms will be in place by April 2015.

## Child Contact Order

**Mr Allister** asked the Minister of Justice what options are available to judges to ensure that a child contact order is adhered to; and for his assessment of the adequacy of these provisions.

**(AQW 24532/11-15)**

**Mr Ford:** When proceedings for breach of a contact order are issued, the court can fine or imprison the parent who has not adhered to the order. My Department is, however, aware that courts may be reticent to use these powers, out of concern for the welfare of the child. My Department is considering whether provision should be made for a wider menu of options for dealing with breaches of contact orders.

## Human Trafficking

**Mrs Dobson** asked the Minister of Justice to outline the steps that his Department is taking to tackle human trafficking.

**(AQW 24551/11-15)**

**Mr Ford:** The Department of Justice is working in partnership with statutory and non government partners across the United Kingdom and in Ireland to tackle human trafficking through prevention, protection and prosecution.

The Human Trafficking Action Plan, published on 23 May 2013, sets out my priorities and objectives for tackling this heinous crime throughout the year ahead. It has been informed by the work of the OCTF's Immigration and Human Trafficking Sub Group and the Department's Engagement Group on Human Trafficking. The action plan sets a clear direction of travel in tackling this appalling crime and will be reviewed and updated annually to ensure that we are meeting our responsibilities.

The Department of Justice strengthened the law on human trafficking this year by including new human trafficking offences in the Criminal Justice Act (Northern Ireland) 2013 and by making trafficking cases triable on indictment only. These changes have ensured that criminal law in Northern Ireland is now compliant with the requirements of the EU Directive on human trafficking.

My Department also funds a package of support for potential adult victims of human trafficking during the recovery and reflection period. The Human Trafficking Action Plan sets out a number of actions which my Department is taking forward with partners, to ensure that adequate support, protections and information for victims of this abhorrent crime are in place.

The Engagement Group on Human Trafficking, through which my Department is working in partnership with Non Government Organisations (NGOs), has developed an impressive education resource pack on human trafficking for use in schools, which I plan to launch in advance of the next academic year. The Group has also identified awareness raising and training as priorities and my Department plans to hold a training event for NGOs later this year.

Significant progress was made during 2012/13 when the Department of Justice's work on human trafficking included publishing guidance on the working arrangements for the welfare and protection of adult victims of human trafficking, developed jointly by the DOJ and DHSSPS.

Together with the Irish Minister for Justice, Equality and Defence, I launched a cross border initiative to raise awareness of human trafficking with third level students. My Department also provided funding to a Crimestoppers campaign to raise awareness of trafficking for forced labour which I launched in January 2013.

I am committed to ensuring that Northern Ireland presents a hostile environment to traffickers and I will consider other measures, including legislative change, if they add value and enhance our response to this heinous crime.

## Cigarettes: Illegal Trade in North Down

**Mr Weir** asked the Minister of Justice to outline the extent of the sale of illegal cigarettes in the North Down area.

**(AQW 24553/11-15)**

**Mr Ford:** I refer the member to the responses I gave to AQW/24490/11-15 and AQW/24491/11-15. It is not possible to provide this information for specific regions of Northern Ireland.

### **Cigarettes: Illegal Trade in North Down**

**Mr Weir** asked the Minister of Justice to outline the steps being taken to restrict the sale of illegal cigarettes in the North Down area.

**(AQW 24554/11-15)**

**Mr Ford:** I refer the member to the responses I gave to AQW/24490/11-15 and AQW/24491/11-15. It is not possible to provide this information for specific regions of Northern Ireland.

### **Firearm Inspections: PSNI Authorisation**

**Lord Morrow** asked the Minister of Justice to detail the legislation under which civilians who are employed by the PSNI's Firearms and Explosives Branch (Firearms Inspectorate) are entering and carrying out checks of explosives stores and explosives registers, on the premises of firearms dealers licensed to carry on their business under either the Firearms (Northern Ireland) Order 2004 or under the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006.

**(AQW 24570/11-15)**

**Mr Ford:** Firearms licensing of dealers is a matter for the Chief Constable under the Firearms (NI) Order 2004. The PSNI does not require DOJ approval to inspect an explosives store or its register as there exists a right of inspection under the Order. The Chief Constable may authorise staff to carry out inspections in order to ensure that licensing conditions continue to be met.

### **Lay Magistrates: Breach of Postal Security**

**Mr Copeland** asked the Minister of Justice, pursuant to AQW 24304/11-15, to detail (i) what legality exists for the Court Service to release this information; (ii) if a breach of data protection occurred as a result of this information being released; (iii) if Lay Magistrates were asked if they wanted the Youth Justice Agency to have their information; and (iv) if any other information was released to the Youth Justice Agency regarding judges.

**(AQW 24581/11-15)**

**Mr Ford:** Under the Data Protection Act 1998 (DPA), a public authority is regarded as a single organisation. The Department of Justice (DOJ) is the registered Data Controller that includes both the Northern Ireland Courts and Tribunals Service (NICTS) and the Youth Justice Agency (YJA). Personal information can be shared between different parts of an organisation, in this case the DOJ, providing it is used for a similar purpose. In these circumstances the information provided by the NICTS to the YJA would not be regarded as a disclosure and therefore not a breach of the DPA.

Individual Lay Magistrates were not consulted on this occasion as the YJA had previously posted similar information to their home addresses.

The information provided to the YJA only included details in respect of Lay Magistrates.

### **Prison Service: SPAR Documentation**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24029/11-15 (i) when audits commenced in the monitoring of Supporting Prisoner at Risk documentation; and (ii) whether he intends to compile a comprehensive report or records of the audits, and if so, if this will be publicly available.

**(AQW 24597/11-15)**

**Mr Ford:** Since the introduction of the Suicide and Self Harm Prevention Policy in February 2011 each prison establishment monitors and reviews samples of Supporting Prisoner at Risk (SPAR) documentation.

The Prison Service introduced an enhanced auditing system of SPAR documentation in March 2013. Audit records are held at each establishment. I have no plans to compile a report on these audits.

### **Civil Compensation Claims**

**Mr Elliott** asked the Minister of Justice for an estimated cost of civil compensation claims brought by those arrested and detained in prisons as a result of failure to pay court fines.

**(AQW 24606/11-15)**

**Mr Ford:** Following the ruling in March 2013 by the Divisional Court that the warrants in the five judicial review cases before it were unlawfully issued, the Divisional Court did not make any determination in relation to liability. Instead the issue of liability will be considered by the Queen's Bench Division of the High Court. These cases are not expected to be heard in the High Court until the Autumn.

Until these cases are dealt with and liability determined by the High Court, no estimate of the cost of civil compensation claims brought by those arrested and detained in prisons as a result of failure to pay court fines can be provided.



## Damien McLaughlin

**Mr Allister** asked the Minister of Justice how long of the four and a half years to which Damien McLaughlin was sentenced in June 2011 was (i) custodial; and (ii) served on licence in the community; and by whom has he been supervised by.

**(AQW 24619/11-15)**

**Mr Ford:** Damien McLaughlin was sentenced to a determinate custodial sentence of four and half years in June 2011. This comprised 27 months in custody followed by 27 months on licence in the community.

Where licence conditions are imposed on persons released from prison they are monitored by the Probation Board with support, where appropriate, from the PSNI, Prison Service and DOJ.

## Prisoners: Terrorist Offences

**Mr Allister** asked the Minister of Justice who supervises prisoners with terrorist convictions who are released on licence in the community, as opposed to who is responsible under Article 17 of the Criminal Justice (NI) Order 2008.

**(AQW 24621/11-15)**

**Mr Ford:** Prisoners convicted of terrorist offences are monitored during their post-custodial licence period by the Probation Board with support, where appropriate, from the PSNI, Prison Service and DOJ.

## Police Fund: Audited Accounts

**Mr Girvan** asked the Minister of Justice to detail which groups funded by the Northern Ireland Police Fund are required to submit fully audited accounts, in line with legislation, in order to secure funding.

**(AQW 24660/11-15)**

**Mr Ford:** I am advised by the Northern Ireland Police Fund (NIPF) that they have, to date, requested the Carers' Association, Disabled Police Officers' Association Northern Ireland (DPOANI) and Parents Association to submit audited accounts in order to provide evidence that public monies were spent in accordance with the organisation's intended purpose; and in order to provide assurances which would inform the consideration of subsequent applications for grant funding.

## Prison Service: Inaccurate Answers

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 23884/11-15, to clarify what he means when he states that 'data on the information requested is not statistically recorded' given that a number of questions that sought statistics and/or other information that is retained by Northern Ireland Prison Service, have been answered.

**(AQW 24686/11-15)**

**Mr Ford:** While a copy of every Assembly Question answered by the Northern Ireland Prison Service (NIPS) is retained, a record of the number of questions that contained inaccurate information is not.

## Frances McKeown: Death in Custody

**Lord Morrow** asked the Minister of Justice, in relation to an early report submitted to the Northern Ireland Prison Service by the Prisoner Ombudsman on the death in custody of Frances McKeown, (i) to clarify who or which agency carried out an external independent investigation into any aspect of this case; (ii) on what date it commenced and concluded; and (iii) when he will publish the report.

**(AQW 24688/11-15)**

**Mr Ford:** The Prisoner Ombudsman's interim report into the death in custody of Frances McKeown was received by the Northern Ireland Prison Service on 11 May 2012.

The Scottish Prison Service was appointed to carry out an external independent investigation. This commenced on 18 May 2012 and concluded on 4 July 2012.

The resultant report of this investigation will not be published as to do so would be contrary to the Data Protection Act 1998.

## Frances McKeown: Death in Custody

**Lord Morrow** asked the Minister of Justice, on what date was an early report submitted to the Northern Ireland Prison Service by the Prisoner Ombudsman on the death in custody of Frances McKeown; and to provide a timeline of the resultant action.

**(AQW 24723/11-15)**

**Mr Ford:** The Prisoner Ombudsman's interim report into the death in custody of Frances McKeown was received by the Northern Ireland Prison Service on 11 May 2012.

The Scottish Prison Service was appointed to carry out an external independent investigation. This commenced on 18 May 2012 and concluded on 4 July 2012.

The resultant report of this investigation will not be published as to do so would be contrary to the Data Protection Act 1998.

## PSNI: Equal Pay

**Mr Allister** asked the Minister of Justice whether he could, through ministerial direction, approve payments to those civil servants disadvantaged financially by the outcome of the legal action concerning equal pay which was ruled upon by Judge Babington on 7 March 2013.

**(AQW 24735/11-15)**

**Mr Ford:** I fully articulated the Department of Justice's position when the Assembly debated this matter on Tuesday 4 June.

During the debate, I gave a commitment to write to the Finance Minister on this matter and I wrote on 6 June. I said in the debate that I would ask him to set out the basis on which a business case could be advanced in the absence of a legal liability. The Finance Minister and I are now in correspondence.

## DOJ: Underspend

**Mr McQuillan** asked the Minister of Justice what was his departmental underspend in the last financial year.

**(AQW 24755/11-15)**

**Mr Ford:** The DOJ Departmental underspend for the 2012/13 financial year, based on provisional outturn figures is as follows:

- Resource DEL Non Ringfenced (cash) £7.0m
- Resource DEL Ringfenced (non cash) £23.2m
- Capital DEL £14.4m

Departmental underspends relating to resource DEL and capital DEL will be rolled forward by the Department in line with the DOJ's ringfenced finance arrangements to offset expenditure in future years.

## Offenders: Victims of Abuse

**Lord Morrow** asked the Minister of Justice whether he will commission research to investigate how many offenders, particularly but not exclusively those who have been offending from a young age, were victims of crime, whether formally reported or not, prior to commencement of offending, paying specific attention to any who were sexually, physically and/or emotionally abused.

**(AQW 24759/11-15)**

**Mr Ford:** Identifying the causes of offending behaviour is of great benefit to my Department in providing evidence for supporting offenders and targeting interventions, and there is international research which shows that many offenders have been prior victims of some sort of abuse, particularly during childhood.

My Department, through its Statistics & Research Committee, commissions research to inform policy development, and this year's agenda includes projects under the priority theme of reducing offending. Part of this research is likely draw out some statistics in relation to prior victimhood amongst offenders. Whilst I therefore have no plans to commission specific research in this area at this time, it may be considered at a future date if Statistics & Research Committee believe that further research is necessary based on findings from this year's projects.

## Prison Service: Self-harm and Deaths in Custody

**Lord Morrow** asked the Minister of Justice for a copy of the Northern Ireland Prison Service policy on managing serious self-harm and deaths in custody.

**(AQW 24760/11-15)**

**Mr Ford:** The Northern Ireland Prison Service does not currently have a separate managing serious self harm and deaths in custody policy. These issues are reflected in the current Suicide and Self Harm Prevention policy, which is available on [www.dojni.gov.uk/index/ni-prison-service/nips-publications/policy\\_reports](http://www.dojni.gov.uk/index/ni-prison-service/nips-publications/policy_reports).

A copy of the Prison Service's Suicide and Self Harm Prevention Policy has also been placed in the Assembly library.

## Prison Service: Incorrectly Answered Questions

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 24111/11-15, in conjunction with AQW 16052/11-15; AQW 16931/11-15; AQW 20305/11 - 15; AQW 16049/11-15; AQW 17725/11 - 15; and on separate issues AQW 17146/11-15 and AQW 21663/11-15, all of which have been answered incorrectly by the Northern Ireland Prison Service, what immediate action he plans to take to (i) have this matter fully investigated; and (ii) ensure record keeping is more streamlined and accurate.

**(AQW 24761/11-15)**

**Mr Ford:** I refer the Member to the reply I gave to points (i) and (ii) in my response to AQW/24337/11-15.

## Magistrates' Courts: Young Witness Evidence

**Mr Elliott** asked the Minister of Justice, on how many occasions since he took office has a (i) seventeen year-old witness; and (ii) sixteen year-old witness, applied for and been permitted to give evidence to a Magistrates Court by video link; and on how many occasions have witnesses of that age appeared in court, excluding cases of an alleged sexual nature.

**(AQW 24831/11-15)**

**Mr Ford:** The Northern Ireland Courts and Tribunals Service (NICTS) does not record the age of witnesses who give evidence in court.

The Department of Justice (DOJ) sponsors the work of the NSPCC Young Witness Service which provides support services to young prosecution witnesses in order to assist them to give their best evidence at court. This service includes supporting young witnesses who give evidence either in the courtroom or through the video link.

The following NSPCC Young Witness Service statistics show the number of sixteen and seventeen year old young witnesses supported by the Service in the Magistrates' and Youth Courts from 2010-11 (excluding cases of an alleged sexual nature), broken down by those witnesses who gave evidence by video link and those who gave evidence in court.

	Sixteen Year Old Witness		Seventeen Year Old Witness	
	Video Link	Courtroom	Video Link	Courtroom
2010-11*	5	51	15	46
2011*-12	15	105	16	133
2012-13	15	145	11	146
<b>Total</b>	<b>35</b>	<b>301</b>	<b>42</b>	<b>325</b>

\* Prior to October 2011 the NSPCC Young Witness Service was only available in a limited number of Magistrates' and Youth Courts.

## Bonfires: Compensation Claims

**Ms S Ramsey** asked the Minister of Justice how many claims have been made for compensation associated with bonfire sites, broken down by reason, in the last three years.

**(AQW 24852/11-15)**

**Mr Ford:** I am unable to provide the information requested as Compensation Services records do not distinguish compensation paid for damage associated with bonfire sites as opposed to other criminal damage.

## Desertcreat Training College: Update

**Mr Spratt** asked the Minister of Justice for an update on the training college at Desertcreat.

**(AQO 4467/11-15)**

**Mr Ford:** I informed the Assembly on 21 May that the construction tender cost was some £30m higher than budget; and that the Project Board had established a working group which sought measures to deliver cost reductions whilst not affecting the overall operational functionality of the college.

A business case addendum with options based on this work was presented to DHSSPS and my Department for consideration. Several issues were identified with this addendum and the Project Board revised this document and re-submitted accordingly. Various cost saving measures have been identified which do not significantly reduce the functionality of the college. This business case addendum is currently being considered by the two Departments.

Whilst it is not yet possible to give a new final cost for the build, I can report that substantial progress has been made in reducing the cost overrun, although it remains likely that the final cost will exceed the original budget.

Should this addendum demonstrate that an integrated college at Desertcreat represents value for money and is affordable, it will be submitted to DFP for approval.

## Stillbirths: Inquests

**Mr Givan** asked the Minister of Justice to outline the steps being taken to ensure stillbirth inquests can be held locally.

**(AQW 24925/11-15)**

**Mr Ford:** The question of whether or not, at present, a Coroner has jurisdiction to conduct an inquest into a stillbirth is the subject of an appeal to the Northern Ireland Court of Appeal. I understand that a date for hearing has not yet been set. My officials will wish to study the judgment of the Court of Appeal carefully in due course, before considering any steps which may be required.

### Prison Service: Relationship with Prison Officers' Association

**Mr Maskey** asked the Minister of Justice for his assessment of the relationship between the Prison Officers' Association and the Northern Ireland Prison Service and its impact on the wider prison reform programme.

(AQO 4466/11-15)

**Mr Ford:** Day-to-day relationships with the POA remain positive. However I regret that issues of disagreement in relation to the POA's claim for the payment of an Environmental Allowance have resulted in the Union withdrawing co-operation from Management in the context of the Reform Programme.

NIPS management remains committed to working with their Trade Union partners in delivering the reform programme.

### Public Records Office: Memorandum of Understanding

**Mr Hazzard** asked the Minister of Justice when senior officials in the Courts Service first informed him and obtained his approval for drafting a memorandum of understanding with the Public Record Office.

(AQO 4469/11-15)

**Mr Ford:** It is not correct that Officials in the Northern Ireland Courts and Tribunals Service sought my approval to draft a memorandum of understanding with the Public Records Office of Northern Ireland.

The existing PRONI memorandum covers access to public records transferred by various Departments. It was drafted prior to the devolution of policing and justice.

### PSNI: Fixed-term Contracts

**Ms S Ramsey** asked the Minister of Justice to clarify the role that he, his Department or the Policing Board, has or may have in the award of fixed term staff contracts by the PSNI.

(AQO 4470/11-15)

**Mr Ford:** The award of fixed term contracts by the PSNI is an operational matter for the Chief Constable, for which he is accountable to the Northern Ireland Policing Board.

Neither the Minister, the Department nor the Policing Board has any role in awarding fixed term contracts for the PSNI, as this matter is delegated to the Chief Constable from the Board.

### Prison Service: Staffing

**Mr Mitchel McLaughlin** asked the Minister of Justice how many positions within the Prison Service are currently filled by people from England, Scotland or Wales.

(AQO 4471/11-15)

**Mr Ford:** NIPS does not hold information in relation to the number of employees who originally came from England, Scotland or Wales. However, of the 2030 staff six (0.3%) have either previously worked for the National Offender Management Service or are currently on secondment from that organisation.

## Department for Regional Development

### Pedestrians: Compensation Claims

**Mr Campbell** asked the Minister for Regional Development how many compensation claims were lodged by pedestrians claiming to have fallen on either footpaths or roadways in each of the last five years, broken down by constituency.

(AQW 24060/11-15)

**Mr Kennedy (The Minister for Regional Development):** My Department does not record information on claims for compensation in the format requested, however, it does record the information on a Roads Service Section Office basis. The Section Office areas are similar to those covered by District Councils.

Details of the number of claims lodged by pedestrians, claiming to have fallen on either footpaths or roadways on a Roads Service Section Office basis, in each of the last five financial years, are set out in the table below:

#### Compensation Claims lodged by pedestrians who have fallen on footpaths / roads

Section Office	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
Antrim	13	15	18	23	10
Ards	37	35	30	52	31
Armagh	21	20	11	15	11

Section Office	2008/2009	2009/2010	2010/2011	2011/2012	2012/2013
Ballymena & Larne	20	29	18	32	17
Ballymoney & Moyle	8	11	5	14	4
Banbridge	12	17	16	16	11
Belfast North	125	137	159	147	114
Belfast South	78	102	108	103	81
Castlereagh	12	19	23	22	19
Coleraine	18	13	14	12	12
Cookstown	8	10	14	18	12
Craigavon	33	38	46	31	26
Down	27	26	35	23	17
Dungannon	10	18	26	29	13
Fermanagh	9	16	10	12	18
Limavady	8	13	12	8	5
Lisburn	51	58	57	63	49
Londonderry	45	67	72	97	76
Magherafelt	4	1	11	11	7
Newry & Mourne	33	36	43	45	37
Newtownabbey & Carrick	40	54	57	48	51
North Down	21	25	32	25	22
Omagh	14	17	8	11	15
Strabane	16	5	10	15	15
<b>Totals</b>	<b>663</b>	<b>782</b>	<b>835</b>	<b>872</b>	<b>673</b>

## Roads: South Down

**Mr Hazzard** asked the Minister for Regional Development, pursuant to AQW 22738/11-15, and given the need for investment in roads infrastructure in South Down, to detail (i) the reasons why no major road schemes are sufficiently advanced in order to benefit from additional funding at this time; and (ii) when such road schemes will be in a position to benefit from additional funding in the future.

**(AQW 24234/11-15)**

**Mr Kennedy:** The Strategic Road Improvement (SRI) Programme has been developed following the principles set out in the Regional Development Strategy and the Regional Transportation Strategy.

The Strategic Road Network in South Down has benefited from significant upgrades to the A1 in recent years with the delivery of substantial projects to complete the dual carriageway from Loughbrickland to the border, along with the provision of flyover-type junctions at various locations.

Preferred options are currently being developed for five further junction improvements on the A1 and the draft statutory orders are being prepared for the proposed bypass of Ballynahinch. A feasibility study is also being undertaken to ascertain the viability of a Newry Southern Relief Road which would link the A1 to Warrenpoint Harbour.

It typically takes 6 years to develop a major road scheme from inception through to a point where construction can commence. This development work must be commensurate with available resources and it is a more efficient use of resources to develop the SRI Programme in phases rather than aim to bring all schemes to the point of procurement at one time.

The works programme was predicated on the A5 advancing to construction in 2013/14, with the majority of the funding in this budget period to 2015 being allocated to the A5, A8 and A2 projects. Other schemes in the Programme are at various stages of development with some ready to enter the procurement phase, however, procurement cannot start for any project until funding has been secured. It will typically take 12 months to procure a scheme to start construction.

I will review priorities within the SRI programme when the Executive's decision on funding the revenue consequences of a £390m package of major road schemes, identified in ISNI 2011-21 for progression using alternative finance, is received.

## Narrow Water Bridge

**Mrs McKeivitt** asked the Minister for Regional Development when he will make an announcement on the Bridge Order for the Narrow Water Bridge Project.

**(AQW 24273/11-15)**

**Mr Kennedy:** My Department's primary role is in respect of the legislative orders required for Louth County Council's Narrow Water Bridge project.

Notices of the subject draft Bridge Order and draft Extinguishment and Diversion of Navigation Order were published in the local Press during weeks commencing 22 and 29 April 2013. The consultation period for interested parties to submit comments, letters of support and objections ended on 4 June 2013.

A number of objections have been received and my Department is facilitating meetings between Louth County Council and these objectors. I have also asked Minister Attwood and Minister O'Neill for some further clarification, but to date have not received substantive replies. Upon receipt of this, I will then decide if a public inquiry is necessary.

## Noise Insulation Regulations (NI) 1995: Ardmore

**Mr McDevitt** asked the Minister for Regional Development, pursuant to AQW 23064/11-15, to detail (i) the calculated figures, derived from modelling work, for the purposes of assessing the Ardmore area in relation to duties arising from the Noise Insulation Regulations (NI) 1995; (ii) the threshold level for the purposes of regulation 5(1) of the legislation; (iii) the date on which these calculations were made; and (iv) the date on which notification was given in a local newspaper of the determination in respect of the figures pursuant to the duty arising from regulation 14(1) of the legislation.

**(AQW 24280/11-15)**

**Mr Kennedy:** The calculated figures, based on the 2009 traffic flows, derived from modelling work, for the purposes of assessing the Ardmore area in relation to duties arising from the Noise Insulation Regulations (NI) 1995 are: 72.5 dB LA(10) 18hr and 74.3 dB LA(10) 18hr for the ground and first floors respectively. The calculated figures, based on the pre-scheme situation, derived from modelling work are: 74.6 dB LA(10) 18hr and 76.3 dB LA(10) 18hr for the ground and first floors respectively.

For the purpose of regulation 5(1) of the legislation, the qualifying noise level must be equal to or greater than 68 dB LA(10) 18 hr, it must be at least 1dB LA(10) 18hr higher than the pre-construction year road traffic noise level and noise from the new or altered road must contribute at least 1dB LA(10) 18hr to the 'relevant' noise level. Consequently, the criterion is not met as the noise level is not at least 1dB LA(10) 18hr higher than the pre-construction year road traffic noise level.

The noise modelling report was prepared for my Department during March 2013 and received on 3 April 2013. The notification of the determination was given in a local newspaper on 26 June 2013.

## Parking: Coalisland

**Lord Morrow** asked the Minister for Regional Development to detail the number of, and reasons for, audits and monitoring exercises that his Department completed in relation to parking restrictions, violations and other similar issues in Coalisland, in each of the last five years.

**(AQW 24335/11-15)**

**Mr Kennedy:** There are currently limited parking restrictions to be enforced in Coalisland.

Previous proposals by Roads Service to provide additional waiting restrictions in Coalisland were presented to the town's Regeneration Partnership several years ago, but received no support from the business community and consequently were not implemented at that time.

In relation to enforcement, my Department has to prioritise its limited Traffic Attendant resource so that it can provide an effective and balanced enforcement service. Although it is not possible to monitor and patrol every restriction, officials do respond when they receive complaints or requests for enforcement.

Such requests for enforcement come from various sources, including individuals, town traders, public representatives and from local traffic engineers, who have on site knowledge of the area.

I understand there have been no such requests or complaints regarding enforcement in Coalisland over the past five years.

## Flags: Departmental Property

**Mr Weir** asked the Minister for Regional Development to outline the protocol for flags on departmental property.

**(AQW 24370/11-15)**

**Mr Kennedy:** My Department's policy in relation to flying the Union flag is in line with the Flags Regulations (NI) 2000, as amended by the Flags Regulations (NI) (Amendment) 2002. Dates on which to fly the flag are circulated by OFMDFM to Departments each year.

As regards flags erected on lamp posts, my Department has signed up to the Joint Protocol on the Display of Flags in Public Areas. Other Agencies involved in the Joint Protocol include the PSNI, the Department of the Environment, the Department for Social Development, OFMDFM and the NI Housing Executive.

The aim of the current protocol is to provide a proactive approach, with the support of communities and their representatives, to address the removal of flags from arterial routes and town centres and from particular locations such as interface areas, or near schools, hospitals and churches. The protocol recognises that an effective resolution to the flags issue is more likely to be achieved through the co-operation of local communities. It will require widespread community support for the partnership established by the protocol to be effective. In each case, the Agency in the most effective position to consult, negotiate, or resolve the situation will take the lead. The PSNI, where best placed, will take on this role. The PSNI will also take the lead where the display of flags is causing community tension, or is affecting the quality of life for a community.

Under the protocol, Roads Service, when called upon by the lead Agency, will provide the access equipment and resources to remove unwanted flags in cases where agreement has been reached that they should be taken down but the community cannot reach them easily.

DRD has contributed to the review of "The Joint Protocol in Relation to the Display of Flags in Public Areas", which was initiated by OFMDFM in April 2008. OFMDFM continue to lead on this review.

### Donaghadee Bus Station

**Mr Weir** asked the Minister for Regional Development if he will consider using the site of Donaghadee Bus Station as (a) a turning circle for buses and (b) a Park and Ride facility when the station closes in September 2013.

**(AQW 24426/11-15)**

**Mr Kennedy:** I can advise that Translink has altered bus operations from Donaghadee and as a result there will be no requirement to retain the current bus facility after 1 July 2013.

I would confirm that Translink has no plans to operate the site as a turning circle or for a Park and Ride Facility. I am, however, aware that following a recent public meeting regarding the development of the site including the proposal for a turning circle for bus, Translink explained that they are open to engagement with relevant stakeholders. Specifically, Translink has since been in touch with Ards Borough Council but I understand that they still await contact from the Council. It may, subsequently, be necessary for Translink to engage with Roads Service to progress this issue.

### Uni-link Scheme

**Mr Weir** asked the Minister for Regional Development why the Uni-Link scheme to the University of Ulster does not offer a student rate.

**(AQW 24431/11-15)**

**Mr Kennedy:** Discounted fares are available on all bus services through the use of the yLink card, for all 16-23 year olds or through use of Smartlink multi journey tickets. This includes the service you are referring to which connects Queens University and the Ulster University.

### Traffic Wardens: Coalisland

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 23624/11-15, to detail all complaints and/or requests for enforcement and their outcomes in Coalisland, in each of the last three years.

**(AQW 24472/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 24278/11-15.

### Car Parks: Charges

**Mr Flanagan** asked the Minister for Regional Development why Roads Service owned car parks are free of charge on 12 and 13 July, but not on 17 March.

**(AQW 24514/11-15)**

**Mr Kennedy:** The On-Street Parking Order states my Department cannot charge for on-street parking on five specific holidays:

- Easter Monday;
- 12 and 13 July (or days in lieu); and
- 25 and 26 December (or days in lieu).

The Off-Street Parking Order does not identify any holidays where charges in the off-street car parks will not apply.

To ensure consistency both on and off-street, these five days (with the addition of 1 January) have been considered non-charging days since the introduction of Decriminalised Parking Enforcement in 2006. These are also days when Traffic Attendants are not deployed.

## Murals

**Ms Lo** asked the Minister for Regional Development to detail the number of murals that have been painted over by his Department or by contractors working on behalf of his Department in the last year, broken down by constituency.

**(AQW 24559/11-15)**

**Mr Kennedy:** No murals have been painted over by my Department or by contractors working on behalf of my Department in the last year.

## Sewerage System: Beverley Heights, Newtownards

**Mr Hamilton** asked the Minister for Regional Development what consideration NI Water has given to the sewerage system in the Beverley Heights area of Newtownards; and its ability to deal with future proposed residential development in the area.

**(AQW 24609/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that the sewer network in the Beverley Heights area of Newtownards will be upgraded to meet future development needs if it becomes necessary. NIW is aware of a proposed development in the area and is liaising with the developer to ensure that it will not cause any detriment to the existing sewer network.

## Taxi Ranks: Public Hire

**Mr Girvan** asked the Minister for Regional Development where in Belfast City Centre will taxi ranks be designated as Public Hire only.

**(AQW 24647/11-15)**

**Mr Kennedy:**

Location	Number of Bays	Hours of Operation
Amelia Street	7	24/7
Bedford Street	6	7pm-7am
Bradbury Place (Benedict's Hotel)	4	7pm-7am
Bradbury Place (Lavery's Bar)	4	7pm-7am
Brunswick Street	4	7pm-7am
Chichester Street	10	24/7
Corporation Square	7	24/7
Donegall Street	3	7pm-7am
Donegall Quay	1	24/7
Donegall Square East	8	24/7
Donegall Square North	6	24/7
Dublin Road (Ventry Street)	3	7pm-7am
Dublin Road (Movie House Cinema)	8	7pm-7am
Fisherwick Place	3	24/7
Glengall Street	7	24/7
Great Victoria Street (Great Northern Mall)	3	24/7
Great Victoria Street (opposite Europa Hotel)	3	7pm-7am
Lisburn Road	3	24/7
Malone Road (Botanic Inn)	4	7pm-7am
Malone Road (Olde Eglantine Inn)	2	7pm-7am
Mays Meadow	16	24/7
University Road	5	7pm-7am
University Street	4	6pm-8am
Waring Street	6	7pm-7am



Officials will shortly commence work with a view to providing additional facilities for Public Hire Taxis in High Street and Botanic Avenue, Belfast. This will be subject to the normal legislative procedures.

## Department for Social Development

### Housing Executive: Contractor Overpayments

**Mr Allister** asked the Minister for Social Development for a breakdown and dateline of the £18m overpayments to Northern Ireland Housing Executive contractors, as referred to in his statement of 10 June 2013.

**(AQW 24243/11-15)**

**Mr McCausland (The Minister for Social Development):** The £18 million figure is an estimate provided by the Housing Executive and at this point has not been confirmed as the actual level of overcharging. In relation to a breakdown of this amount please see table below:

	Contract Sum	No	Potential Overpayment	%
Closed Accounts	£32.2m	96	£5.2m	16.1%
Pre July 2012	£86.4m	216	£10.1m	11.6%
Subtotal Closed Pre July 2012	£118.6m	312	£15.3m	12.9%
Post July 2012 Schemes	£53.4m	157	£2.7m	5.1%
<b>Total</b>	<b>£172.1m</b>	<b>469</b>	<b>£18.0m</b>	<b>10.5%</b>

This was estimated on the basis of extrapolation by applying levels of overcharging identified by Moore MacDonald and the Housing Executive's Central Cost Group, on the assumption that this level of overcharging may also be present in all the schemes issued to the four contractors. The amount estimated after extrapolation is therefore a broad based estimate and subject to change. In relation to the dateline, the work of Moore MacDonald commenced in October 2012 and they completed their reports in June 2013. The Central Cost Group is an internal Housing Executive function restructured to close out all final accounts from June 2012 and the work of the group is ongoing.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

### Legislation: DSD

**Mr Weir** asked the Minister for Social Development to list the current or planned legislation that his Department will bring to the Assembly before the end of the current term.

**(AQW 24254/11-15)**

**Mr McCausland:** My Department is currently progressing the Welfare Reform and Pavement Cafes Bills through the Assembly.

I also intend to bring forward Primary Legislation relating to Housing; Pensions; Regeneration and Housing; Betting, Gaming, Lotteries and Amusements before the end of the current Assembly mandate.

### Volunteering: National Citizen Service

**Mr Campbell** asked the Minister for Social Development what progress is being made on the implementation of the National Citizen Service programme.

**(AQW 24377/11-15)**

**Mr McCausland:** As you are aware the Northern Ireland NCS is entirely complementary to the programmes DSD is delivering under its responsibilities for volunteering, where it aligns well with the Volunteering Strategy for NI (published March 2012). It is also consistent with the Delivering Social Change agenda and with our policies under Neighbourhood Renewal and Community Development.

I am pleased to inform you that I have agreed to fund two further National Citizen Service (NCS) pilots, one for 300 young people in autumn 2013 and for 400 young people in summer 2014. An advertisement for selecting a strategic partner to deliver Northern Ireland NCS over the next 2 years will issue via the Community NI website over the next few days

### Tree and Hedge-cutting Contracts

**Mr Agnew** asked the Minister for Social Development how many tree and hedge cutting contracts his Department, and its arm's-length bodies, awarded between 1 March and 31 August, in each of the last three years.

**(AQW 24380/11-15)**

**Mr McCausland:** My Department has not awarded any tree nor hedge cutting contracts in any of the last three years. However, the Housing Executive has advised that since 2010/11 they have awarded six contracts covering all forms of ground maintenance, including tree and hedge cutting. These were all awarded in 2012/13.

### **Census 2011: Urban Regeneration Funding**

**Mr Hamilton** asked the Minister for Social Development whether his Department has undertaken any assessment of the results of the 2011 census; and whether the results mean that any additional settlements will qualify for urban regeneration funding.

**(AQW 24405/11-15)**

**Mr McCausland:** My Department has not conducted any assessment of the results of the Northern Ireland 2011 Census of Population, with regard to regeneration funding, as data at a settlement level will not be available until 2014.

In recognition of the needs of smaller settlements my Department has a commitment in the Rural White Paper Action Plan to work with the Department of Agriculture and Rural Development to explore the potential to better co-ordinate urban and rural regeneration needs to maximise, and where possible integrate, funding opportunities available for the regeneration of urban and rural communities.

When powers for regeneration and community development are conferred on Councils in 2015, the Department will no longer be responsible for the operational delivery of these programmes. It will be for Councils to decide how and where they fund these activities.

### **Jobs and Benefits Offices: Newtownards/Ballynahinch**

**Mr Hamilton** asked the Minister for Social Development for an update on his Department's plans for new Jobs and Benefits Offices in Newtownards and Ballynahinch.

**(AQW 24406/11-15)**

**Mr McCausland:** Ballynahinch and Newtownards Social Security Offices are two of eight offices whose replacement by co-located Jobs & Benefits offices has not been possible due to failure to secure capital funding in Spending Review 2011. It was agreed at that point that the replacement of these offices would be pursued as opportunities arose and as funding became available. Currently my Department has no plans for new offices in these two locations.

### **Housing Executive: Overpayments to Contractors**

**Mr McKay** asked the Minister for Social Development who established the estimate of £18million in overpayments to contractors by the Housing Executive.

**(AQW 24408/11-15)**

**Mr McCausland:** The amount of £18 million was estimated on the basis of extrapolation, applying the levels of overcharging identified by an external consultant, Moore MacDonald, and the Housing Executive's Central Cost Group (CCG).

### **Housing Executive: Maintenance Contracts**

**Mr McKay** asked the Minister for Social Development whether there was a terms of reference for the Housing Executive internal probe into maintenance contracts.

**(AQW 24410/11-15)**

**Mr McCausland:** The Housing Executive has advised that the terms of reference for the internal probe into maintenance contracts were:-

- What issues led to this situation arising?
- What are we doing to address identified deficiencies?
- How will we demonstrate that the situation has improved?

### **Housing Executive: Contractor Overpayments**

**Mr McKay** asked the Minister for Social Development what were the shortcomings in the Housing Executive that led to contractor overpayments.

**(AQW 24464/11-15)**

**Mr McCausland:** An external independent review of the Housing Executive's handling of planned maintenance contracts is to be carried out immediately by a consultant. Specifically the review is to establish how this situation arose, the reliability of the information on overcharging and the actions taken to recover the overpayments.

## Housing Executive: Maintenance Contracts

**Mr Durkan** asked the Minister for Social Development to detail the cost to his Department of the production of the ASM Howarth Report into Northern Ireland Housing Executive Maintenance Contracts.

**(AQW 24500/11-15)**

**Mr McCausland:** This information is classified as commercial in confidence and it would not be appropriate to disclose it.

## Housing Executive: Renovation and Replacement Grants

**Mr McGlone** asked the Minister for Social Development what plans there are to restore the Housing Executive's Renovation and Replacement Grants Schemes for private homes.

**(AQW 24503/11-15)**

**Mr McCausland:** Since the budget review of 2009 which brought about reductions to available grants budgets, the Housing Executive has awarded the following discretionary grants – Renovation, Replacement and Home Repairs Assistance, on an exceptional basis. These are now only awarded where there is an imminent or significant risk to the occupier as a consequence of the condition of the dwelling. The Housing Executive will continue to monitor any applications made for discretionary grants on that basis.

## Poker

**Mr Flanagan** asked the Minister for Social Development whether he has any plans to legalise poker.

**(AQW 24512/11-15)**

**Mr McCausland:** Under current Northern Ireland gambling law, Poker is legal under certain circumstances.

My Department is currently working to improve and modernise Northern Ireland gambling laws. As I do not propose to increase opportunities to gamble, the current restrictions in relation to Poker will remain.

## Murals: 'Teenage Kicks'

**Ms Lo** asked the Minister for Social Development how the decision was taken to paint over the "Teenage Kicks" mural at Bridge End, Belfast.

**(AQW 24576/11-15)**

**Mr McCausland:** My Department has been completing a number of major public realm improvement schemes in East Belfast including Woodstock Road, Castlereagh Street, Newtownards Road and Albertbridge Road with total investment costs of £3million. It is also planned to complete other major public realm works in the locality at Templemore Avenue, Mountpottinger Road and Short Strand with estimated costs exceeding £5million over the incoming business years.

The public realm scheme at Bridge End is the conduit that connects all these schemes together and involves soft landscaping, tree planting and cleaning or repainting defaced property.

During the design of public realm schemes, Departmental Officials and Landscape Architects consider all aspects of the scheme area including: new street lighting; resurfacing footpaths; semi-mature tree planting; and boundary treatments. When considering defaced property, officials will seek to identify any pieces of community art within the scheme area, and apart from these will clean or repaint the affected surface with the owner's agreement. Consultation is also carried out with relevant statutory bodies, including the local council and DRD Roads Service.

As the "Teenage Kicks" graffiti was not identified as community art it, and other graffiti, was removed to improve the visual appearance of the area.

# Northern Ireland Assembly Commission

## Irish Language Strategy

**Mrs D Kelly** asked the Assembly Commission for an update on the Irish Language Strategy.

**(AQO 4347/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** The Assembly Commission does not yet have an agreed Irish Language Strategy. However, draft Language Guidance has been under consideration by the Assembly Commission and the views of all Parties were sought following a meeting of the Assembly Commission held on 27 February 2013. The Assembly Commission is planning to hold a further meeting to discuss Good Relations issues which will include consideration of the draft language guidance.

## ThyssenKrupp Elevator UK Ltd

**Mr Spratt** asked the Assembly Commission, in relation to ThyssenKrupp Elevator UK Ltd, to detail (i) all work carried out in the past six months at Parliament Buildings; and (ii) costs associated with this work.

**(AQW 24550/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** I can confirm that in the past 6 months Thyssen Krupp attended Parliament Buildings on 13 occasions to address breakdowns of the passenger lifts and 5 times to carry out planned preventative maintenance. They were also here on 2 occasions to carry out maintenance work on the food service lifts.

The total cost of this work was £3,849.53 (excl. Vat).

Thyssen Krupp carried out major refurbishment of the north and west lifts in Parliament Buildings last year and we are planning for them to refurbish the east lifts during this summer recess.

I hope that the above information provides the detail that you sought. However, should you require any supplementary information, I would be very happy to assist with your enquiry

## Questions for Written Answer: Response in English and Irish

**Mr Ó hOisín** asked the Assembly Commission whether one of its Members can respond to a Question for Written Answer in Irish and English if they wish; and for a breakdown of any vote taken on the subject.

**(AQW 24907/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** When responding to AQWs, Assembly Commission Members do so on behalf of the Assembly Commission and within the relevant policies and decisions of the Commission.

At the Assembly Commission meeting on 7 May 2013, following a proposal from a Commission Member to respond to AQWs to the Assembly Commission bilingually, a vote was taken. The Assembly Commission voted as follows:-

For:- Ms Ruane and Mrs Cochrane = 37 votes.

Against:- Mr Weir, Mr Cree, Mr Ramsey = 67 votes.

The proposal was lost.

It was therefore agreed that responses to questions to the Assembly Commission for Written Answer would continue to be in English only. At its meeting on the 5 June 2013, the Assembly Commission further discussed the issue of bilingual responses to Written Assembly Questions. The Speaker proposed that the responses now issue in the format agreed by the Commission on 7 May 2013. The Assembly Commission voted as follows:-

For:- Mr Weir, Mr Cree, Mr Ramsey and Mrs Cochrane = 75 votes.

Against:- Ms Ruane = 29 votes.

The proposal was agreed.

# Revised Written Answers

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



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# Northern Ireland Assembly

## Revised Written Answers

### Department for Regional Development

*In this Bound Volume, page WA 98, please replace AQW 23156/11-15 with:*

#### **Illegally Erected Republican Monuments**

**Mr Easton** asked the Minister for Regional Development to detail the number of illegally erected Republican monuments on roadsides.

**(AQW 23156/11-15)**

**Mr Kennedy (The Minister for Regional Development):** My Department is aware of nineteen illegally erected monuments to terrorists on roadsides, 18 of which are Republican whilst one cannot definitively be identified as it is currently blank.

*In Bound Volume 85, page WA 407, please replace AQW 23391/11-15 with:*

#### **Roadside Monuments**

**Mr Weir** asked the Minister for Regional Development to detail the number of illegal paramilitary or terrorist roadside monuments, broken down by constituency.

**(AQW 23391/11-15)**

**Mr Kennedy:** Details of the number of illegal paramilitary or terrorist roadside monuments, broken down by constituency, are set out in the table below:

<b>Constituency</b>	<b>Number of illegal paramilitary or terrorist roadside monuments</b>
Fermanagh & South Tyrone	8
Mid Ulster	2
West Tyrone	1
Foyle	1
Lagan Valley	1
Newry & Armagh	6
<b>Total</b>	<b>19</b>





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# Journal of Proceedings



# Minutes of Proceedings



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# Northern Ireland Assembly

Monday 10 June 2013

*The Assembly met at noon, the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Motion – Suspend Standing Orders 10(2) to 10(4)

**Proposed:**

That Standing Orders 10(2) to 10(4) be suspended for 10 June 2013.

*Minister for Social Development*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

### 2.2 Statement – Northern Ireland Housing Executive management of maintenance contracts

The Minister for Social Development, Mr Nelson McCausland, made a statement regarding the Northern Ireland Housing Executive management of maintenance contracts, following which he replied to questions.

### 2.3 Motion – Supply Resolution for the Northern Ireland Main Estimates 2013-14

**Proposed:**

That this Assembly approves that a sum, not exceeding £8,271,268,000, be granted out of the Consolidated Fund, for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 and that resources, not exceeding £8,558,118,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office, the Northern Ireland Authority for Utility Regulation and the Public Prosecution Service for Northern Ireland for the year ending 31 March 2014 as summarised for each Department or other public body in Columns 3(b) and 3(a) of Table 1.3 in the volume of the Northern Ireland Estimates 2013-14 that was laid before the Assembly on 29 May 2013.

*Minister of Finance and Personnel*

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 3. Question Time

### 3.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the First Minister, Rt Hon Peter Robinson. The junior Minister, Mr Jonathan Bell, also answered a number of questions.

### 3.2 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Sammy Wilson.

## 4. Executive Committee Business (Cont'd)

### 4.1 Motion – Supply Resolution for the Northern Ireland Main Estimates 2013-14

*Debate resumed on the Motion.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Motion was **carried** with cross-community support.

### 4.2 First Stage: Budget (No.2) Bill (NIA 21/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, introduced a Bill to authorise the issue out of the Consolidated Fund of certain sums for the service of the year ending 31st March 2014; to appropriate those sums for specified purposes; to authorise the Department of Finance and Personnel to borrow on the credit of the appropriated sums; to authorise the use for the public service of certain resources (including accruing resources) for the year ending 31st March 2014; and to repeal certain spent provisions.

The Budget (No.2) Bill (NIA 21/11-15) passed First Stage and ordered to be printed.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 5. Private Members' Business

### 5.1 Motion – Farm Inspections Process 2013

#### **Proposed:**

That this Assembly recognises the concerns within the farming community regarding the issuing of inaccurate Land Parcel Identification System Maps; notes that many were still awaiting their altered maps days before the deadline of the 15 May 2013 for their Single Farm Payment application; understands the difficulties and pressures that this will cause to the applicants and calls on the Minister of Agriculture and Rural Development to outline how her Department will support farmers and speed up the overall farm inspection process in order that more applicants receive their 2013 Single Farm Payment in good time.

*Mr P Frew*

*Mr W Irwin*

*Mr T Clarke*

*Mr T Buchanan*

### 5.2 Amendment 1

#### **Proposed:**

Leave out all after first 'applicants' and insert:

‘; further notes that Northern Ireland still remains exposed to Disallowance if the rules of the scheme are broken; and calls on the Minister of Agriculture and Rural Development to tackle the problem of delayed payments by seeking permission from the European Commission to make advance payments, including proportionally smaller advance payments for farms selected for inspection.’

*Mrs J Dobson*

*Mr R Swann*

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 6. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.04pm.*

**Mr William Hay**

**The Speaker**

10 June 2013

# Northern Ireland Assembly

## Papers Presented to the Assembly on 5 – 10 June 2013

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

Budget (No. 2) Bill [as introduced] (NIA Bill 21/11-15).

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Continuing Progress - Annual Report of The Lay Observer for Northern Ireland (DFP).

Northern Ireland Education and Library Boards Retention and Disposal of Records Schedule SEELB (DCAL).

Draft Code of Practice No. 5 and Accompanying Guidance Reporting Late Payment of Contributions to Occupational Pension Schemes (DSD).

Draft Code of Practice No. 6 and Accompanying Guidance Reporting Late Payment of Contributions to Personal Pension Schemes (DSD).

Legislative Consent Memorandum - Mesothelioma Bill (DSD).

Loughs Agency Annual Report & Accounts 2011 (DARD).

### 5. Assembly Reports

Report on a Complaint against Mr Pat Ramsey MLA from Mr Bertie Faulkner OBE (NIA 114/11-15) (Committee on Standards and Privileges).

Report on a Complaint against Mr Dominic Bradley MLA (NIA 115/11-15) (Committee on Standards and Privileges).

### 6. Statutory Rules

#### For Information Only:

S. R. 2013/148 The Parking and Waiting Restrictions (Belfast) (Amendment) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/152 The Off-Street Parking (Amendment) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/155 The Parking and Waiting Restrictions (Banbridge) Order (Northern Ireland) 2013 (DRD).

### 7. Written Ministerial Statements

### 8. Consultation Documents

Sharing Parental Rights, Extending Flexibility at Work - Public Consultation (DEL).



9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications



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# Northern Ireland Assembly

**Tuesday 11 June 2013**

*The Assembly met at 10.30am, the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – Campaign for the Meningitis B vaccine to be made available in Northern Ireland

Mr Jim Wells was granted leave, in accordance with Standing Order 22, to present a Public Petition relating to the campaign for the Meningitis B vaccine to be made available in Northern Ireland.

## 3. Executive Committee Business

### 3.1 Statement – Putting Pupils First: Reforming the Common Funding Scheme

The Minister of Education, Mr John O'Dowd, made a statement regarding Putting Pupils First: Reforming the Common Funding Scheme, following which he replied to questions.

### 3.2 Statement – Report of the Turnaround and Support Team on the Northern Health and Social Care Trust

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the Report of the Turnaround and Support Team on the Northern Health and Social Care Trust, following which he replied to questions.

### 3.3 Second Stage – Budget (No.2) Bill ((NIA 21/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Second Stage of the Budget (No.2) Bill (NIA 21/11-15).

*Debate ensued.*

*The sitting was suspended at 12.29pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.*

## 4. Question Time

### 4.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

### 4.2 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

## 5. Executive Committee Business (Cont'd)

### 5.1 Second Stage – Budget (No.2) Bill (NIA 21/11-15)

*Debate resumed on the Bill.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Budget (No.2) Bill (NIA 21/11-15) passed Second Stage with cross-community support (Division).

*The Deputy Speaker (Mr Beggs) took the Chair.*

### 5.2 Second Stage – Carrier Bags Bill (NIA 20/11-15)

The Minister of the Environment, Mr Alex Attwood, moved the Second Stage of the Carrier Bags Bill (NIA 20/11-15).

*Debate ensued.*

The Carrier Bags Bill (NIA 20/11-15) passed Second Stage without division.

## 6. Adjournment

Miss Michelle McIlveen spoke to her topic regarding the challenges facing the fishing fleet in Portavogie.

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 9.25pm.*

**Mr William Hay**

**The Speaker**

11 June 2013

# Northern Ireland Assembly

11 June 2013

Division

**Second Stage – Budget (No.2) Bill ((NIA 21/11-15)**

The Question was put and the Assembly divided.

**Ayes:** 52

**Noes:** 4

**AYES**

**Nationalist**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Eastwood, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Anderson, Mr Bell, Mr Clarke, Mr Dunne, Mr Frew, Mr Girvan, Mr Hamilton, Mr Irwin, Mr McCausland, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr G Robinson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

**Other**

*Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr McCarthy.*

*Tellers for the Ayes: Mr Anderson and Mr G Robinson.*

**NOES**

**Unionist**

*Mr Allister, Mr McCallister, Mr B McCrea, Mr McNarry.*

*Tellers for the Noes: Mr McCallister and Mr B McCrea.*

Total votes	56	Total Ayes	52	[92.9%]
Nationalist Vote	26	Nationalist Ayes	26	[100.0%%]
Unionist Votes	23	Unionist Ayes	19	[82.6%]
Other Votes	7	Other Ayes	7	[100.0%]

The following Members voted in both Lobbies and are therefore not counted in the result: Mr Beggs, Mr Cree, Mr Elliott, Mr Nesbitt, Mrs Overend, Mr Swann.

The Second Stage was **agreed** with cross-community support.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 11 June 2013**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules

S. R. 2013/153 The Nugent's Entry, Enniskillen (Abandonment) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/156 The Brucevale Park, Belfast (Stopping-Up) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/157 The Knocksallagh Green, Greenisland (Abandonment) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/158 The Glenvarna Walk, Newtownabbey (Footpath) (Abandonment) Order (Northern Ireland) 2013 (DRD).

### **For Information Only:**

S. R. 2013/154 The Roads (Speed Limit) (No. 2) Order (Northern Ireland) 2013 (DRD).

S. R. 2013/159 The Parking and Waiting Restrictions (Belfast) (Amendment No. 2) Order (Northern Ireland) 2013 (DRD).

7. Written Ministerial Statements
8. Consultation Documents  
Credit Unions and Industrial and Provident Societies (DETI).
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 11 June 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Superannuation Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
/Air Passenger Duty (Setting of Rate) Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Water and Sewerage Services (Amendment) Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13				
/Budget Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	17.09.13					
Budget (No. 2) Bill 21/11-15	10.06.13	11.06.13	N/A	N/A				

**2011-2015 Mandate  
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13	20.05.13	03.06.13	

/ Bill progressing by accelerated passage.

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



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# Northern Ireland Assembly

Monday 17 June 2013

*The Assembly met at noon, the Deputy Speaker (Mr Dallat) in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – Rescue the sculpture celebrating the shirt factory women of Derry~Londonderry

Ms Maeve McLaughlin was granted leave, in accordance with Standing Order 22, to present a Public Petition calling for the completion of the sculpture celebrating the shirt factory women of Derry~Londonderry.

## 3. Executive Committee Business

### 3.1 First Stage – Financial Provisions Bill (NIA 22/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, introduced a Bill to repeal the Development Loans (Agriculture and Fisheries) Act (Northern Ireland) 1968; to enable the Department of Agriculture and Rural Development to pay grants to certain harbour authorities; to make provision in relation to the payment of interest on funds in court; to make provision enabling the Northern Ireland Housing Executive to recover certain costs; to make provision for the disclosure of data obtained by the Comptroller and Auditor General for data matching purposes; to enable the Department of Justice to make payments to certain bodies providing services for the police, etc.; and for purposes connected with those matters.

The Financial Provisions Bill (NIA 22/11-15) passed First Stage and ordered to be printed.

### 3.2 First Stage – Public Service Pensions Bill (NIA 23/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, introduced a Bill to make provision for public service pension schemes; and for connected purposes.

The Public Service Pensions Bill (NIA 23/11-15) passed First Stage and ordered to be printed.

### 3.3 Consideration Stage – Budget (No.2) Bill (NIA 21/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Consideration Stage of the Budget (No.2) Bill (NIA 21/11-15).

No amendments were tabled to the Bill.

#### **Clauses**

The question being put, it was **agreed** without division that Clauses 1 to 7 stand part of the Bill.

#### **Schedules**

The question being put, it was **agreed** without division that Schedules 1 to 3 stand part of the Bill.

#### **Long Title**

The question being put, the Long Title was **agreed** without division.

The Budget (No 2) Bill (NIA 21/11-15) stood referred to the Speaker.

### 3.4 First Stage – Licensing of Pavement Cafés Bill (NIA 24/11-15)

The Minister for Social Development, Mr Nelson McCausland, introduced a Bill to make provision for the regulation by district councils of the placing on public areas of furniture for use for the consumption of food or drink.

The Licensing of Pavement Cafés Bill (NIA 24/11-15) passed First Stage and ordered to be printed.

### 3.5 Legislative Consent Motion – Gambling (Licensing and Advertising) Bill

#### Proposed:

That this Assembly endorses the principle of the extension to Northern Ireland of the Gambling (Licensing and Advertising) Bill.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 4. Committee Business

### 4.1 Motion: Integrated Endometriosis Service

#### Proposed:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to initiate and expedite an inquiry into the urgent need for an integrated endometriosis service to address the severe suffering experienced by women with this condition across Northern Ireland.

*Chairperson, Committee for Health, Social Services and Public Safety*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 5. Private Members' Business

### 5.1 First Stage – Road Traffic (Speed Limits) Bill (NIA 25/11-15)

Mr Conall McDevitt introduced a Bill to set a maximum speed limit on residential roads of 20 miles per hour.

The Road Traffic (Speed Limits) Bill (NIA 24/11-15) passed First Stage and ordered to be printed.

### 5.2 Motion – Aid Package for Fishermen

#### Proposed:

That this Assembly welcomes the efforts made by fishermen in meeting EU catch regulations in respect of cod and in reducing other unwanted catches; recognises the expense incurred in purchasing highly selective gears and forgoing valuable catches as a result of using these gears; sympathises with those fishermen whose earnings have been dramatically reduced because of a combination of bad weather and using new fishing gears; and calls on the Minister of Agriculture and Rural Development to deliver urgently a meaningful package of aid designed to assist those fishermen who have helped her comply with the commitments she made at the EU Fisheries Council in December 2011.

*Mr P Frew*

*Mr W Irwin*

*Mr T Clarke*

*Mr T Buchanan*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

*The sitting was suspended at 2.23pm.*

*The sitting resumed at 2.30pm, with the Deputy Speaker (Mr Beggs) in the Chair.*

## 6. Question Time

### 6.1 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Edwin Poots.

### 6.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

## 7. Private Members' Business (Cont'd)

### 7.1 Motion – Aid Package for Fishermen

*Debate resumed on the Motion.*

The Question being put, the Motion was **carried** without division.

## 8. Adjournment

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 3.41pm.*

**Mr William Hay**

**The Speaker**

17 June 2013

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 12 – 17 June 2013**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly

Records NI Retention and Disposal Schedule 2012 – 2014 (DCAL).

Southern Health and Social Care Trust Annual Report and Accounts of the Trust Funds held by the Southern Health and Social Care Trust Year Ended 31 March 2012 (DHSSPS).

5. Assembly Reports

Inquiry into the better use of public and community sector funds for the delivery of bus transport in Northern Ireland (NIA 65/11-15) (Committee for Regional Development).

Report on the Legislative Consent Motion: Marriage (Same Sex Couples) Bill (NIA 118/11-15) (Committee for Finance and Personnel).

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees 14 June 2013 (NIA 121/11-15) (Examiner of Statutory Rules).

6. Statutory Rules

S. R. 2013/149 The Attorney General's Human Rights Guidance (State Pathologist's Department) Order (Northern Ireland) 2013 (DOJ).

S. R. 2013/150 The Attorney General's Human Rights Guidance (Forensic Science Northern Ireland) Order (Northern Ireland) 2013 (DOJ).

S. R. 2013/161 The Landfill (Amendment) Regulations (Northern Ireland) 2013 (DOE).

S. R. 2013/164 Emergency Grants (Eligible Tenants) (Amendment) Order (Northern Ireland) 2013 (DSD).

S. R. 2013/167 The Social Security (Croatia) (Amendment) Regulations (Northern Ireland) 2013 (DSD).

**For Information Only:**

S. R. 2013/145 (C. 10) The Charities (2008 Act) (Commencement No. 4) Order (Northern Ireland) 2013 (DSD).

S. R. 2013/163 The Parking Places (Disabled Persons' Vehicles) (Amendment No. 4) Order (Northern Ireland) 2013 (DRD).

S. R. 2013 Draft S. R. The Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 (DOE).

7. Written Ministerial Statements

8. Consultation Documents

9. Departmental Publications

Glen Road Development Framework and Design Compendium (DSD).

Memorandum on the Thirteenth Report from the Public Accounts Committee Mandate 2011-2015 (DFP).

Licensing of Pavement Cafés Bill Regulatory Impact Assessment June 2013 (DSD).

## 10. Agency Publications

I. I. A. C. Position Paper 30 The Association between Shift Working and Breast Cancer - An Updated Report (DSD).

## 11. Westminster Publications

Armed Forces Act 2006 c. 52 (Correction).

Welfare Reform Act 2013 c. 5 (Correction).

Civil Aviation Act 2013 c. 19 (Correction).

Financial Services Act 2012 c. 21 (Correction).

Review of the Balance of Competences Internal Market: Free Movement of Persons (DWP).

## 12. Miscellaneous Publications



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# Northern Ireland Assembly

Tuesday 18 June 2013

*The Assembly met at 10.30am, the Deputy Speaker (Mr Dallat) in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – Planning Policy Statement 16 – Tourism

The Minister of the Environment, Mr Alex Attwood, made a statement regarding Planning Policy Statement 16 – Tourism, following which he replied to questions.

### 2.2 Statement – The Launch and Procurement of Steps 2 Success

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding the Launch and Procurement of Steps 2 success, following which he replied to questions.

### 2.3 Further Consideration Stage – Budget (No.2) Bill (NIA 21/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Further Consideration Stage of the Budget (No.2) Bill.

No amendments were tabled to the Bill.

The Budget (No 2) Bill (NIA 21/11-15) stood referred to the Speaker for consideration in accordance with Section 10 of the Northern Ireland Act 1998.

### 2.4 Motion: Statistics and Registration Services Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013

#### Proposed:

That the Statistics and Registration Services Act 2007 (Disclosure of Pupil Information) Regulations (Northern Ireland) 2013 be affirmed.

*Minister of Finance and Personnel*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 2.5 Motion: Statistics and Registration Services Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013

#### Proposed:

That the Statistics and Registration Services Act 2007 (Disclosure of Higher Education Student Information) Regulations (Northern Ireland) 2013 be affirmed.

*Minister of Finance and Personnel*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 2.6 **Assembly Consent Motion: The Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013**

### **Proposed:**

That this Assembly consents to The Public Bodies (Abolition of the Registrar of Public Lending Right) Order 2013 in the form of the draft laid before the UK Parliament on 8 May 2013.

*Minister of Culture, Arts and Leisure*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

*The sitting was suspended at 12.23pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 3. Question Time

### 3.1 **Regional Development**

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

### 3.2 **Culture, Arts and Leisure**

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

### 3.3 **Assembly Commission**

Questions were put to, and answered by, Members of the Assembly Commission.

## 4. Private Members' Business

### 4.1 **Motion – Broadband Provision in Rural Areas**

#### **Proposed:**

That this Assembly welcomes the investment by the Executive into improving access to high speed broadband; recognises the continuing need for improvements in broadband infrastructure in many rural areas; and calls on the Minister of Enterprise, Trade and Investment to work with local stakeholders to identify the areas that are in greatest need and to target investment into those areas to provide equitable broadband speed, cost and reliability.

*Mr P Flanagan*

*Ms S Ramsey*

*Ms M McLaughlin*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** without division.

### 4.2 **Motion – Funding for Other Road Projects in Place of the A5 Western Transport Corridor**

#### **Proposed:**

That this Assembly notes the current position of the A5 Western Transport Corridor scheme; further notes that the construction of the Corridor was an Executive commitment; and calls on the Executive, given the substantial delay in the scheme, to provide immediate support to the Minister for Regional Development to progress other road schemes, in place of the A5, including the A6 Randalstown to Castledawson dual carriageway, the A26 Glarryford to Drones Road dual carriageway, the A31 Magherafelt bypass, and the A55 at the Knock Road, Belfast to support the local construction industry.

*Mrs S Overend*

*Mr R Swann*

*Mr M Nesbitt*



**4.3 Amendment 1****Proposed:**

Leave out all after the second 'Corridor' and insert:

'remains an Executive commitment; and calls on the Executive, given the substantial delay in the scheme, to provide immediate support to the Minister for Regional Development to progress other road schemes, until construction work begins on the A5, including the A6 Randalstown to Castledawson dual carriageway, the A26 Glarryford to Drones Road dual carriageway, the A31 Magherafelt bypass, A32 improvements between Enniskillen and Omagh, the Enniskillen ring road and other road priorities in the West and the A55 at the Knock Road, Belfast to support the local construction industry.'

*Mr J Dallat*

*Mr J Byrne*

**4.4 Amendment 2****Proposed:**

Leave out all after the second 'scheme' and insert:

'to bring forward suitable capital projects which will improve our infrastructure, provide a much needed boost for the construction sector and be delivered within the available time frame.'

*Mr J Spratt*

*Mr I McCrea*

*Mr D McIlveen*

*Mr P Weir*

*Debate ensued.*

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

The Question being put, Amendment No. 1 **fell** (Division 1).

The Question being put, Amendment No. 2 was **made** (Division 2).

The Question being put, the Motion, as amended, was **carried** without division.

**5. Adjournment**

Mr Stephen Moutray spoke to his topic regarding the future of the Dickson Plan in Craigavon.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.43pm.*

**Mr William Hay**

**The Speaker**

18 June 2013

# 18 June 2013

## Divisions

### Division 1

**Motion: Funding for Other Road Projects in Place of the A5 Western Transport Corridor – Amendment 1**

**Proposed:W**

Leave out all after the second 'Corridor' and insert:

'remains an Executive commitment; and calls on the Executive, given the substantial delay in the scheme, to provide immediate support to the Minister for Regional Development to progress other road schemes, until construction work begins on the A5, including the A6 Randalstown to Castledawson dual carriageway, the A26 Glarryford to Drones Road dual carriageway, the A31 Magherafelt bypass, A32 improvements between Enniskillen and Omagh, the Enniskillen ring road and other road priorities in the West and the A55 at the Knock Road, Belfast to support the local construction industry.'

*Mr J Dallat*

*Mr J Byrne*

The Question was put and the Assembly divided.

**Ayes:** 25

**Noes:** 57

**AYES**

*Mr Allister, Mr Attwood, Mr Byrne, Mr Copeland, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Ayes: Mr Eastwood and Mr Rogers.*

**NOES**

*Mr Agnew, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Noes: Mr Anderson and Mr G Robinson.*

The Amendment **fell**.

18 June 2013

## Divisions

### Division 2

#### Motion: Funding for Other Road Projects in Place of the A5 Western Transport Corridor – Amendment 2

##### Proposed:

Leave out all after the second 'scheme' and insert:

'to bring forward suitable capital projects which will improve our infrastructure, provide a much needed boost for the construction sector and be delivered within the available time frame.'

*Mr J Spratt*  
*Mr I McCrea*  
*Mr D McIlveen*  
*Mr P Weir*

The Question was put and the Assembly divided.

**Ayes:** 57

**Noes:** 25

##### AYES

*Mr Agnew, Mr Anderson, Mr Bell, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Ms S Ramsey, Mr G Robinson, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Ayes: Mr Anderson and Mr G Robinson.*

##### NOES

*Mr Allister, Mr Attwood, Mr Byrne, Mr Copeland, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mrs McKevitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mrs Overend and Mr Swann.*

The Amendment was **made**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 18 June 2013**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
  - Financial Provisions Bill [as introduced] (NIA Bill 22/11-15).
  - Public Service Pensions Bill [as introduced] (NIA Bill 23/11-15).
  - Licensing of Pavement Cafés Bill [as introduced] (NIA Bill 24/11-15).
  - Road Traffic (Speed Limits) Bill [as introduced] (NIA Bill 25/11-15).
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules
  - For Information Only:**
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
  - The Radioactive Substances (Fees and Charges) Scheme (Northern Ireland) 2013 (DOE).
  - The Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2009 (Fees and Charges) (DOE).
  - The Consolidated Greenhouse Gas Emissions Charging Scheme (Northern Ireland) 2013 (DOE).
  - The Marine Licensing (Applications Fee) Regulations (Northern Ireland) 2011 (DOE).
  - The Waste Management Charging (Northern Ireland) Scheme 2013 (DOE).
  - Fees and Charges to Recover the Cost of Processing Discharge Consent Applications and the Regulation of Discharges under the Water (Northern Ireland) Order 1999 (DOE).
  - The Pollution Prevention and Control (Industrial Pollution and Radiochemical Inspectorate) Charging Scheme (Northern Ireland) 2013 (DOE).
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 18 June 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Superannuation Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
/Air Passenger Duty (Setting of Rate) Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Water and Sewerage Services (Amendment) Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13				
/Budget Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	17.09.13					
Budget (No. 2) Bill 21/11-15	10.06.13	11.06.13	N/A	N/A	17.06.13	18.06.13		
Financial Provisions Bill 22/11-15	17.06.13							
Public Service Pensions Bill 23/11-15	17.06.13							
Licensing of Pavement Cafés Bill 24/11-15	17.06.13							

**2011-2015 Mandate****Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13	20.05.13	03.06.13	
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13							

/ Bill progressing by accelerated passage.

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.

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# Northern Ireland Assembly

**Monday 24 June 2013**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Motion – Suspend Standing Orders 10(2) to 10(4)

#### **Proposed:**

That Standing Orders 10(2) to 10(4) be suspended for 24 June 2013.

*Minister of the Environment*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

### 2.2 Consideration Stage – Planning Bill (NIA 17/11-15)

*A valid Petition of Concern was presented under Standing Order 28, on Friday 21 June 2013 in relation to Amendment 24 (Appendix 1).*

The Minister of the Environment, Mr Alex Attwood, moved the Consideration Stage of the Planning Bill (NIA 17/11-15).

34 amendments were tabled to the Bill.

#### **Clauses**

The question being put, it was **agreed** without division that Clause 1 stand part of the Bill.

*Debate ensued.*

The debate was suspended for Question Time.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 3. Question Time

### 3.1 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

### 3.2 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

## 4. Executive Committee Business (Cont'd)

### 4.1 Consideration Stage – Planning Bill (NIA 17/11-15)

*Debate resumed on the Bill.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

After debate, Amendment 1 to Clause 2 was **negatived** (Division 1).

*Amendment 2 was not moved.*

After debate, Amendment 3 to Clause 2 was **negatived** (Division 2).

After debate, Amendment 4 to Clause 2 was **negatived** (Division 3).

*Amendments 5 and 6 were not moved.*

After debate, Amendment 7 to Clause 2 was **made** without division.

*Amendments 8 to 19 were not moved.*

The question being put, it was **agreed** without division that Clause 2, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 3 stand part of the Bill.

*The Speaker took the Chair.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

*The Speaker took the Chair.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

After debate, Amendment 20 inserting new Clause 3A was **made** and it was **agreed** that the new clause stand part of the Bill (Division 4).

*Following receipt of a valid Petition of Concern under Standing Order 28, on Monday 24 June in relation to Amendments 21 and 23, debate on Consideration Stage of the Planning Bill stood suspended at 10.30pm (see Appendix 2).*

*The Deputy Speaker (Mr Dallat) took the Chair.*

#### **4.2 Final Stage: Budget (No 2) Bill (NIA 21/11-15)**

##### **Proposed:**

The Minister for Finance and Personnel, Mr Sammy Wilson, moved that the Final Stage of the Budget (No 2) Bill do now pass.

*Debate ensued.*

The Budget (No 2) Bill (NIA 21/11-15) passed Final Stage with cross-community support *nemine contradicente*.

*The Speaker took the Chair.*

#### **4.3 Legislative Consent Motion – Marriage (Same Sex Couples) Bill**

##### **Proposed:**

That this Assembly agrees that the following provisions in the Marriage (Same Sex Couples) Bill, which relate to the treatment of same sex marriages in Northern Ireland and gender recognition, should be considered by the UK Parliament:

- Clauses 10(3), 12, 15(1) to (3) and 16;
- paragraph 2 of Schedule 2; and
- Schedule 5 (as introduced in the House of Commons on 24 January 2013).

*Minister of Finance and Personnel*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.



#### 4.4 Legislative Consent Motion – Care Bill

**Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions of the Care Bill, as introduced in the House of Lords on 9 May 2013, contained in sections 38 to 40 and Schedule 1 dealing with cross border placements; and Chapter 2 of Part 3 and Schedule 7 dealing with the Health Research Authority.

*Minister of Health, Social Services and Public Safety*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

#### 4.5 Motion - draft Renewables Obligation (Amendment No. 2) Order (Northern Ireland) 2013

**Proposed:**

That the draft Renewables Obligation (Amendment No.2) Order (Northern Ireland) 2013 be approved.

*Minister of Enterprise, Trade and Investment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 5. Private Members' Business

#### 5.1 First Stage – Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15)

Lord Morrow introduced a Bill to make provision about human trafficking offences and exploitation, measures to prevent and combat human trafficking and slavery and provision of support for human trafficking victims.

The Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill (NIA 26/11-15) passed First Stage and ordered to be printed.

## 6. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 1.00am.*

**Mr William Hay**

**The Speaker**

24 June 2013

## Appendix 1

## Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Friday 21 June 2013 in relation to Amendment 24 proposed to the Planning Bill (NIA 17/11-15).**

- Mr Sydney Anderson
- Mr Jonathan Bell
- Ms Paula Bradley
- Ms Pam Brown
- Mr Thomas Buchanan
- Mr Gregory Campbell
- Mr Trevor Clarke
- Mr Jonathan Craig
- Mr Sammy Douglas
- Mr Gordon Dunne
- Mr Alex Easton
- Mrs Arlene Foster
- Mr Paul Frew
- Mr Paul Girvan
- Mr Paul Givan
- Mrs Brenda Hale
- Mr Simon Hamilton
- Mr David Hilditch
- Mr William Humphrey
- Mr William Irwin
- Mr Nelson McCausland
- Mr Ian McCrea
- Mr David McIlveen
- Miss Michelle McIlveen
- Mr Adrian McQuillan
- The Lord Morrow
- Mr Stephen Moutray
- Mr Robin Newton
- Mr Edwin Poots
- Mr George Robinson
- Mr Peter Robinson
- Mr Alastair Ross
- Mr Jimmy Spratt
- Mr Mervyn Storey
- Mr Peter Weir
- Mr Jim Wells
- Mr Sammy Wilson

## Appendix 2

## Northern Ireland Assembly

**The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Monday 24 June 2013 in relation to Amendments 21 and 23 proposed to the Planning Bill (NIA 17/11-15).**

- Mr Sydney Anderson
- Mr Jonathan Bell
- Ms Paula Bradley
- Ms Pam Brown
- Mr Thomas Buchanan
- Mr Gregory Campbell
- Mr Trevor Clarke
- Mr Jonathan Craig
- Mr Sammy Douglas
- Mr Gordon Dunne
- Mr Alex Easton
- Mrs Arlene Foster
- Mr Paul Frew
- Mr Paul Girvan
- Mr Paul Givan
- Mrs Brenda Hale
- Mr Simon Hamilton
- Mr David Hilditch
- Mr William Humphrey
- Mr William Irwin
- Mr Nelson McCausland
- Mr Ian McCrea
- Mr David McIlveen
- Miss Michelle McIlveen
- Mr Adrian McQuillan
- The Lord Morrow
- Mr Stephen Moutray
- Mr Robin Newton
- Mr Edwin Poots
- Mr George Robinson
- Mr Peter Robinson
- Mr Alastair Ross
- Mr Jimmy Spratt
- Mr Mervyn Storey
- Mr Peter Weir
- Mr Jim Wells
- Mr Sammy Wilson

# Northern Ireland Assembly

24 June 2013

## Division 1

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 1

#### Proposed:

In page 1, Line 15 after 'improving' insert 'social'.

*Mr S Agnew*

The Question was put and the Assembly divided.

**Ayes:** 33

**Noes:** 58

#### AYES

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew and Mr Boylan.*

#### NOES

*Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Eastwood and Mrs McKeivitt.*

The Amendment **fell**.

# Northern Ireland Assembly

24 June 2013

## Division 2

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 3

#### Proposed:

In page 1, line 16, at end insert “(d) promoting environmental protection”.

*Mr S Agnew*

The Question was put and the Assembly divided.

**Ayes:** 33

**Noes:** 57

#### AYES

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Agnew and Ms Lo.*

#### NOES

*Mr Allister, Mr Anderson, Mr Attwood, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Mr Eastwood and Mrs McKeivitt.*

The Amendment **fell**.

# Northern Ireland Assembly

24 June 2013

## Division 3

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 4

#### Proposed:

In page 1, line 16, at end insert “(d) protecting the environment”.

*Mr T Elliott*

*Mr R Swann*

The Question was put and the Assembly divided.

**Ayes:** 31

**Noes:** 61

#### AYES

*Mr Agnew, Mr Allister, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Swann.*

*Tellers for the Ayes: Mr Elliott and Mr Swann.*

#### NOES

*Mr Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O’Dowd, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Boylan and Mr Clarke.*

The Amendment **fell**.

# Northern Ireland Assembly

24 June 2013

## Division 4

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 20

#### Proposed:

In page 1, leave out subsections (4) and (5). After clause 3 insert.

“Economically significant planning zone schemes.

3A.—(1) In paragraph (2) of Article 2 of the 1991 Order (interpretation) after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Article 13A;”.

(2) In paragraph (2) of Article 9 of the 1991 Order (development plans) after sub-paragraph (d) insert—

“(dd) an economically significant planning zone scheme;”.

(3) After Article 13 of the 1991 Order insert—

“Economically significant planning zone schemes

Economically significant planning zones

13A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or illustrating the provisions of the scheme, and must specify—

(a) the development or classes of development permitted by the scheme;

(b) the land in relation to which permission is granted; and

(c) any conditions, limitations or exceptions subject to which it is granted;

and shall contain such other matters as may be prescribed by regulations made by OFMDFM.

(5) OFMDFM may at any time make an economically significant planning zone scheme in respect of any area or alter a scheme adopted by it in respect of any area.

(6) Articles 5, 6, 7 and 8(1) shall, subject to paragraphs (7) and (8) and with any other necessary modifications, apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as they apply to the making or alteration of a development plan by the Department.

(7) Without prejudice to the generality of paragraph (6), “prescribed” in Articles 5 and 6, in relation to the making or alteration of an economically significant planning zone scheme by OFMDFM, means prescribed by regulations made by OFMDFM.

(8) Paragraph (1) of Article 8 shall apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as if, for the words from “the Department” to the end of that paragraph, there were substituted “OFMDFM may adopt the scheme or the alteration of the scheme—

(a) by order made with the consent of the Department of the Environment; or

(b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.”.

(9) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

(10) Without prejudice to paragraph (6), OFMDFM may make regulations with respect to—

(a) the form and content of economically significant planning zone schemes; and

(b) the procedure to be followed in connection with the making or alteration of such schemes.

(11) In this Article, and in Articles 13B to 13F, “OFMDFM” means the Office of the First Minister and deputy First Minister.

Economically significant planning zone schemes: conditions and limitations on planning permission

13B.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

(a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and

(b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development;

and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

(a) to do anything not amounting to development; or

(b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

Duration of economically significant planning zone scheme

13C.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme’s ceasing to have effect planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of Article 37(2) to (6) apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of Article 36(1) apply in determining for the purposes of this Article when development shall be taken to be begun.

Alteration of economically significant planning zone scheme

13D.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.



(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

(a) the exclusion of land from the economically significant planning zone;

(b) the withdrawal of planning permission; or

(c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject,

has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect, and the provisions of Article 36(1) apply in determining for the purposes of this paragraph when development shall be taken to be begun.

Provision of assistance by Department to OFMDFM

13E. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under Articles 13A to 13D.

Modifications of references to planning permission granted by the Department, etc.

13F. In this Order, or in any provision made under this Order—

(a) any reference to planning permission granted by the Department, except where prescribed by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme;

(b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.”.

(4) In Article 34 of the 1991 Order (duration of planning permission), in paragraph (3), after sub-paragraph (d) insert—

“(dd) to any planning permission granted by an economically significant planning zone scheme;”.

(5) In Article 121 of the 1991 Order (rights of entry), in paragraph (1)(a), after head (i) insert—

“(ia) the making or altering of a economically significant planning zone scheme relating to the land;”.

(6) In Article 124 of the 1991 Order (planning register), in paragraph (1), after sub-paragraph (g) insert—

“(gg) economically significant planning zones;”.

(7) In section 19 of the 2011 Act (exclusion of certain representations), in subsection (1), after paragraph (e) insert—

“(ee) an economically significant planning zone scheme;”.

(8) After section 38 of the 2011 Act insert—

“Economically significant planning zone schemes

Economically significant planning zones

38A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or illustrating the provisions of the scheme, and must specify—

- (a) the development or classes of development permitted by the scheme;
- (b) the land in relation to which permission is granted; and
- (c) any conditions, limitations or exceptions subject to which it is granted;

and must contain such other matters as may be prescribed by regulations made by OFMDFM.

#### Making and alteration of economically significant planning zone schemes

38B.—(1) Subject to the following provisions of this section, OFMDFM may at any time make an economically significant planning zone scheme in respect of any area or alter a scheme adopted by it in respect of any area.

(2) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

(3) Schedule 1A has effect with respect to the making and alteration of economically significant planning zone schemes and other related matters.

#### Economically significant planning zone schemes: conditions and limitations on planning permission

38C.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

(a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and

(b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development;

and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

(a) to do anything not amounting to development; or

(b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

#### Duration of economically significant planning zone scheme

38D.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme's ceasing to have effect, planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of section 64(2) to (6) and sections 65 and 66 apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of section 63(2) apply in determining for the purposes of this section when development shall be taken to be begun.

#### Alteration of economically significant planning zone scheme

38E.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.

(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

- (a) the exclusion of land from an economically significant planning zone;
- (b) the withdrawal of planning permission; or
- (c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject.

has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect; and the provisions of section 63(2) apply in determining for the purposes of this subsection when development shall be taken to be begun.

Provision of assistance by Department to OFMDFM

38F. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under sections 38A to 38E.

Modifications of references to planning permission, etc., granted by the Department or councils

38G. In this Act, or in any provision made under this Act—

(a) any reference to planning permission granted by the Department or a council except where prescribed by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme;

(b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.

(9) In section 61 of the 2011 Act (duration of planning permission), in subsection (3) after paragraph (e) insert—

“(ee) to any planning permission granted by an economically significant planning zone scheme;”.

(10) In section 236 of the 2011 Act (rights of entry), in subsection (1)(a), after head (ii) insert—

“(iia) the making or altering of an economically significant planning zone scheme relating to the land;”.

(11) In section 242 of the 2011 Act (planning register), in subsection (1), after paragraph (i) insert—

“(ij) economically significant planning zones;”.

(12) In section 250 of the 2011 Act (interpretation), in subsection (1), after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Section 38A;”.

(13) After Schedule 1 to the 2011 Act insert—

“SCHEDULE 1A

ECONOMICALLY SIGNIFICANT PLANNING ZONES

1.—(1) Where OFMDFM proposes to make or alter an economically significant planning zone scheme it must, before determining the content of its proposals, comply with this paragraph.

(2) OFMDFM must consult the council for the area or any part of the area to which the proposed economically significant planning zone scheme relates.

(3) OFMDFM must take such steps as it thinks fit to publicise—

- (a) the fact that OFMDFM proposes to make or alter an economically significant planning zone scheme, and
- (b) the matters which it is considering including in the proposals.

(4) OFMDFM must consider any representations that are made within the prescribed period.

2. Where OFMDFM has prepared a proposed economically significant planning zone scheme, or proposed alterations to an economically significant planning zone scheme, it must—
- (a) make copies of the proposed scheme or alterations available for inspection at such places as may be prescribed
  - (b) take such steps as may be prescribed for the purpose of advertising the fact that the proposed scheme or alterations are so available and the places at which, and times during which, they may be inspected,
  - (c) take such steps as may be prescribed for inviting objections to be made within such period as may be prescribed, and
  - (d) send a copy of the proposed scheme or alterations to such persons as may be prescribed
- 3.—(1) Where objections to the proposed scheme or alterations are made, OFMDFM may—
- (a) for the purpose of considering the objections, cause an independent examination to be carried out by—
    - (i) the planning appeals commission; or
    - (ii) a person appointed by OFMDFM: or
  - (b) require the objections to be considered by a person appointed by OFMDFM.
- (2) Regulations made by OFMDFM may make provision with respect to the appointment, and qualifications for appointment, of persons for the purposes of this paragraph.
- (3) Any person who makes objections to a proposed economically significant planning zone scheme or proposed alterations to an economically significant planning zone scheme must, if that person so requests, be given the opportunity to appear before and be heard by—
- (a) the planning appeals commission; or
  - (b) the person appointed by OFMDFM under sub-paragraph (1)(a)(ii).
- 4.—(1) After the expiry of the period for making objections or, if objections have been made in accordance with the regulations, after considering those objections and the views of the planning appeals commission or any other person holding an independent examination or considering those objections under paragraph 3, OFMDFM may, subject to the following provisions of this paragraph, adopt the proposed scheme or the proposed alteration—
- (a) by order made with the consent of the Department of the Environment; or
  - (b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.
- (2) OFMDFM may adopt the proposals as originally prepared or as modified so as to take account of—
- (a) any such objections as are mentioned in sub-paragraph (1) or any other objections to the proposals, or
  - (b) any other considerations which appear to OFMDFM to be material.
- 5.—(1) Without prejudice to the previous provisions of this Schedule, OFMDFM may make regulations with respect—
- (a) to the form and content of economically significant planning zone schemes, and
  - (b) to the procedure to be followed in connection with their preparation, adoption or alteration.
- (2) Any such regulations may in particular—
- (a) provide for the notice to be given of, or the publicity to be given to—
    - (i) matters included or proposed to be included in an economically significant planning zone scheme, and
    - (ii) the adoption of such a scheme, or of any alteration of it, or any other prescribed procedural step,
- and for publicity to be given to the procedure to be followed in these respects;
- (b) make provision with respect to the making and consideration of representations as to matters to be included in, or objections to, any such scheme or proposals for its alteration;
  - (c) make provision with respect to the circumstances in which representations with respect to the matters to be included in such a scheme or proposals for its alteration are to be treated, for the purposes of this Schedule, as being objections made in accordance with regulations;

(d) without prejudice to head (a), provide for notice to be given to particular persons of the adoption of an economically significant planning zone scheme, or an alteration to such a scheme, if they have objected to the proposals and have notified OFMDFM of their wish to receive notice, subject (if the regulations so provide) to the payment of a reasonable charge;

(e) provide for the publication and inspection of an economically significant planning zone scheme which has been adopted, or any document adopted altering such a scheme, and for copies of any such scheme or document to be made available on sale.

(3) In this Schedule, “prescribed” means prescribed by regulations made by OFMDFM.”.— [Mr Boylan.]

After clause 3 insert

“Economically significant planning zone schemes

3A.—(1) In paragraph (2) of Article 2 of the 1991 Order (interpretation) after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Article 13A;”.

(2) In paragraph (2) of Article 9 of the 1991 Order (development plans) after sub-paragraph (d) insert—

“(dd) an economically significant planning zone scheme;”.

(3) After Article 13 of the 1991 Order insert—

“Economically significant planning zone schemes

Economically significant planning zones

13A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or illustrating the provisions of the scheme, and must specify—

(a) the development or classes of development permitted by the scheme;

(b) the land in relation to which permission is granted; and

(c) any conditions, limitations or exceptions subject to which it is granted;

and shall contain such other matters as may be prescribed by regulations made by OFMDFM.

(5) OFMDFM may at any time make an economically significant planning zone scheme in respect of any area or alter a scheme adopted by it in respect of any area.

(6) Articles 5, 6, 7 and 8(1) shall, subject to paragraphs (7) and (8) and with any other necessary modifications, apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as they apply to the making or alteration of a development plan by the Department.

(7) Without prejudice to the generality of paragraph (6), “prescribed” in Articles 5 and 6, in relation to the making or alteration of an economically significant planning zone scheme by OFMDFM, means prescribed by regulations made by OFMDFM.

(8) Paragraph (1) of Article 8 shall apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as if, for the words from “the Department” to the end of that paragraph, there were substituted “OFMDFM may adopt the scheme or the alteration of the scheme—

(a) by order made with the consent of the Department of the Environment; or

(b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.”.

(9) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

(10) Without prejudice to paragraph (6), OFMDFM may make regulations with respect to—

- (a) the form and content of economically significant planning zone schemes; and
- (b) the procedure to be followed in connection with the making or alteration of such schemes.

(11) In this Article, and in Articles 13B to 13F, "OFMDFM" means the Office of the First Minister and deputy First Minister.

Economically significant planning zone schemes: conditions and limitations on planning permission

13B.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

- (a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and
- (b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development;

and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

- (a) to do anything not amounting to development; or
- (b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

Duration of economically significant planning zone scheme

13C.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme's ceasing to have effect planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of Article 37(2) to (6) apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of Article 36(1) apply in determining for the purposes of this Article when development shall be taken to be begun.

Alteration of economically significant planning zone scheme

13D.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified

(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

- (a) the exclusion of land from the economically significant planning zone;
- (b) the withdrawal of planning permission; or

(c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject,

has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect, and the provisions of Article 36(1) apply in determining for the purposes of this paragraph when development shall be taken to be begun.

#### Provision of assistance by Department to OFMDFM

13E. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under Articles 13A to 13D.

#### Modifications of references to planning permission granted by the Department, etc.

13F. In this Order, or in any provision made under this Order—

(a) any reference to planning permission granted by the Department, except where prescribed by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme;

(b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.”

(4) In Article 34 of the 1991 Order (duration of planning permission), in paragraph (3), after sub-paragraph (d) insert—

“(dd) to any planning permission granted by an economically significant planning zone scheme;”.

(5) In Article 121 of the 1991 Order (rights of entry), in paragraph (1)(a), after head (i) insert—

“(ia) the making or altering of a economically significant planning zone scheme relating to the land;”.

(6) In Article 124 of the 1991 Order (planning register), in paragraph (1), after sub-paragraph (g) insert—

“(gg) economically significant planning zones;”.

(7) In section 19 of the 2011 Act (exclusion of certain representations), in subsection (1), after paragraph (e) insert—

“(ee) an economically significant planning zone scheme;”.

(8) After section 38 of the 2011 Act insert—

“Economically significant planning zone schemes

#### Economically significant planning zones

38A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or illustrating the provisions of the scheme, and must specify—

(a) the development or classes of development permitted by the scheme;

(b) the land in relation to which permission is granted; and

(c) any conditions, limitations or exceptions subject to which it is granted;

and must contain such other matters as may be prescribed by regulations made by OFMDFM.

#### Making and alteration of economically significant planning zone schemes

38B.—(1) Subject to the following provisions of this section, OFMDFM may at any time make an economically significant planning zone scheme in respect of any area or alter a scheme adopted by it in respect of any area.

(2) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

(3) Schedule 1A has effect with respect to the making and alteration of economically significant planning zone schemes and other related matters.

Economically significant planning zone schemes: conditions and limitations on planning permission

38C.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

(a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and

(b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development;

and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

(a) to do anything not amounting to development; or

(b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

Duration of economically significant planning zone scheme

38D.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme's ceasing to have effect, planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of section 64(2) to (6) and sections 65 and 66 apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of section 63(2) apply in determining for the purposes of this section when development shall be taken to be begun.

Alteration of economically significant planning zone scheme

38E.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.

(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

(a) the exclusion of land from an economically significant planning zone;

(b) the withdrawal of planning permission; or

(c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject.



has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect; and the provisions of section 63(2) apply in determining for the purposes of this subsection when development shall be taken to be begun.

Provision of assistance by Department to OFMDFM

38F. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under sections 38A to 38E.

Modifications of references to planning permission, etc., granted by the Department or councils

38G. In this Act, or in any provision made under this Act—

(a) any reference to planning permission granted by the Department or a council except where prescribed by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme

(b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.

(9) In section 61 of the 2011 Act (duration of planning permission), in subsection (3) after paragraph (e) insert—

“(ee) to any planning permission granted by an economically significant planning zone scheme;”.

(10) In section 236 of the 2011 Act (rights of entry), in subsection (1)(a), after head (ii) insert—

“(iia) the making or altering of an economically significant planning zone scheme relating to the land;”.

(11) In section 242 of the 2011 Act (planning register), in subsection (1), after paragraph (i) insert—

“(ij) economically significant planning zones;”.

(12) In section 250 of the 2011 Act (interpretation), in subsection (1), after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Section 38A;”.

(13) After Schedule 1 to the 2011 Act insert—

“SCHEDULE 1A

#### ECONOMICALLY SIGNIFICANT PLANNING ZONES

1.—(1) Where OFMDFM proposes to make or alter an economically significant planning zone scheme it must, before determining the content of its proposals, comply with this paragraph.

(2) OFMDFM must consult the council for the area or any part of the area to which the proposed economically significant planning zone scheme relates.

(3) OFMDFM must take such steps as it thinks fit to publicise—

(a) the fact that OFMDFM proposes to make or alter an economically significant planning zone scheme, and

(b) the matters which it is considering including in the proposals.

(4) OFMDFM must consider any representations that are made within the prescribed period.

2. Where OFMDFM has prepared a proposed economically significant planning zone scheme, or proposed alterations to an economically significant planning zone scheme, it must

(a) make copies of the proposed scheme or alterations available for inspection at such places as may be prescribed,

(b) take such steps as may be prescribed for the purpose of advertising the fact that the proposed scheme or alterations are so available and the places at which, and times during which, they may be inspected,

(c) take such steps as may be prescribed for inviting objections to be made within such period as may be prescribed, and

(d) send a copy of the proposed scheme or alterations to such persons as may be prescribed.

3.—(1) Where objections to the proposed scheme or alterations are made, OFMDFM may—

(a) for the purpose of considering the objections, cause an independent examination to be carried out by—

(i) the planning appeals commission; or

(ii) a person appointed by OFMDFM: or

(b) require the objections to be considered by a person appointed by OFMDFM.

(2) Regulations made by OFMDFM may make provision with respect to the appointment, and qualifications for appointment, of persons for the purposes of this paragraph.

(3) Any person who makes objections to a proposed economically significant planning zone scheme or proposed alterations to an economically significant planning zone scheme must, if that person so requests, be given the opportunity to appear before and be heard by—

(a) the planning appeals commission; or

(b) the person appointed by OFMDFM under sub-paragraph (1)(a)(ii).

4.—(1) After the expiry of the period for making objections or, if objections have been made in accordance with the regulations, after considering those objections and the views of the planning appeals commission or any other person holding an independent examination or considering those objections under paragraph 3, OFMDFM may, subject to the following provisions of this paragraph, adopt the proposed scheme or the proposed alteration—

(a) by order made with the consent of the Department of the Environment; or

(b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.

(2) OFMDFM may adopt the proposals as originally prepared or as modified so as to take account of—

(a) any such objections as are mentioned in sub-paragraph (1) or any other objections to the proposals, or

(b) any other considerations which appear to OFMDFM to be material.

5.—(1) Without prejudice to the previous provisions of this Schedule, OFMDFM may make regulations with respect—

(a) to the form and content of economically significant planning zone schemes, and

(b) to the procedure to be followed in connection with their preparation, adoption or alteration.

(2) Any such regulations may in particular—

(a) provide for the notice to be given of, or the publicity to be given to—

(i) matters included or proposed to be included in an economically significant planning zone scheme, and

(ii) the adoption of such a scheme, or of any alteration of it, or any other prescribed procedural step,

and for publicity to be given to the procedure to be followed in these respects;

(b) make provision with respect to the making and consideration of representations as to matters to be included in, or objections to, any such scheme or proposals for its alteration;

(c) make provision with respect to the circumstances in which representations with respect to the matters to be included in such a scheme or proposals for its alteration are to be treated, for the purposes of this Schedule, as being objections made in accordance with regulations;

(d) without prejudice to head (a), provide for notice to be given to particular persons of the adoption of an economically significant planning zone scheme, or an alteration to such a scheme, if they have objected to the proposals and have notified OFMDFM of their wish to receive notice, subject (if the regulations so provide) to the payment of a reasonable charge;

(e) provide for the publication and inspection of an economically significant planning zone scheme which has been adopted, or any document adopted altering such a scheme, and for copies of any such scheme or document to be made available on sale.

(3) In this Schedule, "prescribed" means prescribed by regulations made by OFMDFM."

*Mr C Boylan*  
*Mr P Weir*

The Question was put and the Assembly divided.

**Ayes:** 60

**Noes:** 32

#### **AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Anderson and Mr Boylan.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Ford, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McDevitt, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Byrne and Mr Rogers.*

The Amendment was **made**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 19 – 24 June 2013**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Criminal Justice Inspection Northern Ireland Disposal and Retention Schedule (DCAL).
  - Police Ombudsman Annual Report and Accounts for the Year ended 31 March 2013 (DOJ).
5. Assembly Reports
  - Review of d'Hondt, Community Designation and Provisions for Opposition (NIA 123/11-15) (Assembly and Executive Review Committee).
6. Statutory Rules
  - S. R. 2013/165 Compulsory Acquisition (Interest) (Amendment) Order (Northern Ireland) 2013 (DFP).
  - S. R. 2013/166 The Industrial Training Levy (Construction Industry) Order (Northern Ireland) 2013 (DEL).
  - For Information Only:**
    - S. R. 2013/168 The Road Races (Craigantlet Hill Climb) Order (Northern Ireland) 2013 (DRD).
    - S. R. 2013/169 The Road Races (Armoy Motorcycle Race) Order (Northern Ireland) 2013 (DRD).
    - S. R. 2013/171 The Inquiry into Historical Institutional Abuse Rules (Northern Ireland) 2013 (OFMDFM).
7. Written Ministerial Statements
8. Consultation Documents
  - Draft Business Improvement Districts Regulations (DSD).
9. Departmental Publications
  - Agriculture and Horticulture Development Board Annual Report and Accounts 2012-13 (DARD).
10. Agency Publications
  - Industrial Injuries Advisory Council Annual Report 2012-13 (DSD).
11. Westminster Publications
12. Miscellaneous Publications

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# Northern Ireland Assembly

**Tuesday 25 June 2013**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – 'Magee Expansion: Time to Make it Happen'

Ms Maeve McLaughlin was granted leave, in accordance with Standing Order 22, to present a Public Petition regarding the 'Magee Expansion: Time to Make it Happen'.

## 3. Executive Committee Business

### 3.1 Statement - British-Irish Council Summit Plenary meeting

The First Minister, Rt Hon Peter Robinson, made a statement regarding the British-Irish Council Summit Plenary meeting, held in Magee College, Derry~Londonderry on 21 June 2013, following which he replied to questions.

### 3.2 Statement – Taking Forward Transformation

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding Taking Transformation Forward, following which he replied to questions.

*The Deputy Speaker (Mr Dallat) took the Chair.*

### 3.3 Second Stage – Public Service Pensions Bill (NIA 23/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Second Stage of the Public Service Pensions Bill.

*Debate ensued.*

The Public Service Pensions Bill (NIA 23/11-15) passed Second Stage (Division 1).

*The Deputy Speaker (Mr Beggs) took the Chair.*

### 3.4 Second Stage – Licensing of Pavement Cafés Bill (NIA 24/11-15)

The Minister for Social Development, Mr Nelson McCausland, moved the Second Stage of the Licensing of Pavement Cafés Bill).

*Debate ensued.*

The Licensing of Pavement Cafés Bill (NIA 24/11-15) passed Second Stage without division.

## 4. Question Time

### 4.1 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

### 4.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Alex Attwood.

*The Speaker took the Chair.*

## 5. Executive Committee Business (Cont'd)

### 5.1 Resumption of Consideration Stage –Planning Bill (NIA 17/11-15)

*Consideration Stage of the Planning Bill began on Monday 24 June 2013 but the votes after Amendment 20, and debate on the Amendments in Group 3, were deferred following the presentation of a valid Petition of Concern under Standing Order 28 on Monday 24 June 2013 in relation to Amendments 21 and 23.*

The question being put, it was **agreed** without division that Clauses 4 and 5 stand part of the Bill.

After debate, Amendment 21 to Clause 6 was **negatived** on a cross community vote (Division 2).

After debate, Amendment 22 to Clause 6 was **made** without division.

After debate, Amendment 23 to Clause 6 was **negatived** on a cross community vote (Division 3).

The question being put, it was **agreed** that Clause 6 as amended stand part of the Bill (Division 4).

The question being put, it was **agreed** without division that Clauses 7 to 10 stand part of the Bill.

*The Deputy Speaker (Mr Dallat) took the Chair.*

After debate, Amendment 24 inserting new Clause 10A was **negatived** on a cross community vote (Division 5).

The question being put, it was **agreed** without division that Clauses 11 and 12 stand part of the Bill.

After debate, Amendment 25 inserting new Clause 12AA was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 26 inserting new Clause 12A was **made** and it was **agreed** that the new clause stand part of the Bill (Division 6).

The question being put, it was **agreed** without division that Clauses 13 to 16 stand part of the Bill.

After debate, Amendment 27 inserting new Clause 16A was **negatived** without division.

The question being put, it was **agreed** without division that Clauses 17 to 19 stand part of the Bill.

After debate, Amendment 28 to Clause 20 was **made** without division.

After debate, Amendment 29 to Clause 20 was **made** without division.

The question being put, it was **agreed** without division that Clause 20 as amended stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 21 to 24 stand part of the Bill.

After debate, Amendment 30 to Clause 25 was **made** without division.

The question being put, it was **agreed** without division that Clause 25, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 26 stand part of the Bill.

After debate, Amendment 31 to Clause 27 was **made** without division.

After debate, Amendment 32 to Clause 27 was **made** (Division 7).

After debate, Amendment 33 to Clause 27 was **negatived** without division.

After debate, Amendment 34 to Clause 27 was **made** (Division 8).

The question being put, it was **agreed** that Clause 27, as amended, stand part of the Bill (Division 9).

The question being put, it was **agreed** without division that Clause 28 stand part of the Bill.

The question being put, the Long Title was **agreed** without division.

The Planning Bill (NIA 17/11-15) stood referred to the Speaker.

## 6. Committee Business

### 6.1 Motion - Extension of Committee Stage: Carrier Bags Bill (NIA Bill 20/11-15)

**Proposed:**

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 30 November 2013, in relation to the Committee Stage of the Carrier Bags Bill (NIA Bill 20/11-15).

*Chairperson, Committee for the Environment*

Question being put, the Motion was **carried** without division.

## 7. Private Members' Business

### 7.1 Motion – IF Campaign/G8 Summit 2013

**Proposed:**

That this Assembly welcomes the principles, aims and targets set by the IF campaign; condemns the fact that two million children die from malnutrition each year; recognises the opportunity that hosting the G8 Summit presents to call on the eight global leaders to honour their responsibilities to developing countries and to tackling climate change and the associated injustices of hunger, dispossession and human rights violations; and calls on the British and Irish governments to realise their pledge to contribute 0.7 per cent of their national income to international aid.

*Mr C McDevitt*

*Mr J Wells*

*Mr C Lyttle*

*Mr S Agnew*

*Mr R Swann*

*Ms J McCann*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** without division.

## 8. Adjournment

Mr Chris Hazzard spoke to his topic regarding the lack of economic development in Down District.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 9.40pm.*

**Mr William Hay**

**The Speaker**

25 June 2013

# Northern Ireland Assembly

25 June 2013

## Division 1

### Second Stage – Public Service Pensions Bill (NIA 23/11-15)

The Question was put and the Assembly divided.

**Ayes:** 75

**Noes:** 11

#### **AYES**

*Mr Allister, Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr G Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McCallister, Mr F McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr B McCrea, Mr I McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs Overend, Mr Poots, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Mr Girvan and Mr McQuillan.*

#### **NOES**

*Mr Agnew, Mr Byrne, Mr Durkan, Mr Eastwood, Mrs D Kelly, Mr McDevitt, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

The Second Stage was **agreed**.



# Northern Ireland Assembly

25 June 2013

## Division 2

### Consideration Stage – Planning Bill (NIA 17/11-15) – Clause 6 (Determination of planning applications) - Amendment 21

#### Proposed:

In page 5, line 23, after “economic” insert “and environmental”.

*Mr T Elliott*  
*Mr R Swann*

The Question was put and the Assembly divided.

**Ayes:** 53

**Noes:** 31

#### AYES

##### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

##### Unionist

*Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mrs Overend, Mr Swann.*

##### Other

*Mr Agnew, Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mr Kinahan and Mr Swann.*

#### NOES

##### Unionist

*Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

Total votes	84	Total Ayes	53	[63.1%]
Nationalist Vote	36	Nationalist Ayes	36	[100.0%]
Unionist Votes	43	Unionist Ayes	12	[27.9%]
Other Votes	5	Other Ayes	5	[100.0%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

25 June 2013

## Division 3

**Consideration Stage – Planning Bill (NIA 17/11-15) – Clause 6 (Determination of planning applications)  
Amendment 23**

**Proposed:**

In page 5, line 30, after “economic” insert “and environmental”.

*Mr T Elliott  
Mr R Swann*

The Question was put and the Assembly divided.

**Ayes:** 54  
**Noes:** 31

**AYES**

**Nationalist**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O’Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mrs Overend, Mr Swann.*

**Other**

*Mr Agnew, Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mr Kinahan and Mr Swann.*

**NOES**

**Unionist**

*Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr McQuillan and Mr G Robinson.*

Total votes	85	Total Ayes	54	[63.5%]
Nationalist Vote	37	Nationalist Ayes	37	[100.0%]
Unionist Votes	43	Unionist Ayes	12	[27.9%]
Other Votes	5	Other Ayes	5	[100.0%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

25 June 2013

Divisions

Division 4

**Consideration Stage – Planning Bill (NIA 17/11-15) – Clause 6 (Determination of planning applications)**

**Proposed:**

Clause 6, as amended, stand part of the Bill.

The Question was put and the Assembly divided.

**Ayes:** 68

**Noes:** 16

**AYES**

*Mr Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Byrne, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCreagh, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr A Maginness and Mr McGlone.*

**NOES**

*Mr Agnew, Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCreagh, Mr McGimpsey, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mr Agnew and Ms Lo.*

Question accordingly **agreed** to.

# Northern Ireland Assembly

25 June 2013

## Division 5

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 24

#### Proposed:

“Third party right of appeal

10A. In Article 32 of the 1991 Order (Appeals) after paragraph (1) insert—

“(1A) The Department may by regulations provide for an appeal under paragraph (1) to be made by a person other than the applicant, subject to such limits as may be specified.

(1B) Regulations under paragraph (1A) shall not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”

*Mr S Agnew*

The Question was put and the Assembly divided.

**Ayes:** 57

**Noes:** 30

#### AYES

##### Nationalist

*Mr Attwood, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Ó hOisín, Mr O’Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

##### Unionist

*Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Gardiner, Mr Hussey, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

##### Other

*Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle.*

*Tellers for the Ayes: Mr Agnew and Ms Lo.*

#### NOES

##### Unionist

*Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCausland, Mr I McCrea, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Anderson and Mr McQuillan.*

Total votes	87	Total Ayes	57	[65.5%]
Nationalist Vote	36	Nationalist Ayes	36	[100.0%%]
Unionist Votes	43	Unionist Ayes	13	[30.2%]
Other Votes	8	Other Ayes	8	[100.0%]

The Amendment **fell** on a cross-community vote.

# Northern Ireland Assembly

25 June 2013

## Division 6

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 26

#### Proposed:

After clause 12 insert:

“Review of certain decisions

12A.—(1) After Article 33 of the 1991 Order insert—

33A.—(1) This Article applies to—

(a) any decision by the Department or OFMDFM to—

- (i) grant or refuse planning permission;
- (ii) grant or refuse any consent, agreement or approval of the Department or OFMDFM required by a condition imposed on a grant of planning permission; or
- (iii) grant or refuse any approval of the Department or OFMDFM required under a development order;
- (b) any determination of an appeal under Article 32 by the planning appeals commission,

where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.

(2) Subject to paragraph (3), a decision or determination to which this Article applies shall not be subject to appeal or liable to be questioned in any court.

(3) A person aggrieved by a decision or determination to which this Article applies may, within 6 weeks of the decision being taken or the determination being made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—

- (a) the compatibility of the decision or determination with the Convention rights; or
- (b) the compatibility of the decision or determination with EU Law.

(4) The period referred to in paragraph (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.

(5) In this Article—

“the Convention rights” has the same meaning as in the Human Rights Act 1998;

“EU law” means—

- (a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and
- (b) all remedies and procedures provided by or under those Treaties.”.

(2) After section 60 of the 2011 Act insert—

“Review of certain decisions

60A.—(1) This section applies to—

- (a) any decision by a council, the Department or OFMDFM to—
- (i) grant or refuse planning permission;

(ii) grant or refuse any consent, agreement or approval of the council, the Department or OFMDFM required by a condition imposed on a grant of planning permission; or

(iii) grant or refuse any approval of the council, the Department or OFMDFM required under a development order;

(b) any determination of an appeal under section 58 by the planning appeals commission,

where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.

(2) Subject to subsection (3), a decision or determination to which this section applies shall not be subject to appeal or liable to be questioned in any court.

(3) A person aggrieved by a decision or determination to which this section applies may, within 6 weeks of the decision being taken or the determination being made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—

(a) the compatibility of the decision or determination with the Convention rights; or

(b) the compatibility of the decision or determination with EU law.

(4) The period referred to in subsection (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.

(5) In this section—

“the Convention rights” has the same meaning as in the Human Rights Act 1998;

“EU law” means—

(a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and

(b) all remedies and procedures provided by or under those Treaties.”.

*Mr P Weir*

*Mr C Boylan*

The Question was put and the Assembly divided.

**Ayes:** 54

**Noes:** 33

#### **AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Boylan and Mr McQuillan.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Agnew and Mr Lyttle.*

The Amendment was **made**.

# Northern Ireland Assembly

25 June 2013

## Division 7

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 32

In page 16, line 31, before “15” insert “3A(1) to (6), 12A(1),”.

*Mr C Boylan*

*Mr P Weir*

The Question was put and the Assembly divided.

**Ayes:** 54

**Noes:** 33

#### **AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCreagh, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Boylan and Mr McQuillan.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCreagh, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

The Amendment was **made**.

# Northern Ireland Assembly

25 June 2013

## Division 8

### Consideration Stage – Planning Bill (NIA 17/11-15) – Amendment 34

In page 16, line 35, at end insert

“(3) Section 3A(7) to (13) and section 12A(2) come into operation on the day on which Part 3 of the 2011 Act comes into operation.”.—

*Mr C Boylan*

*Mr P Weir*

The Question was put and the Assembly divided.

**Ayes:** 54

**Noes:** 33

#### **AYES**

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O’Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Boylan and Mr McQuillan.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKevitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

The Amendment was **made**.



# Northern Ireland Assembly

25 June 2013

## Division 9

### Consideration Stage – Planning Bill (NIA 17/11-15) – Clause 27 (Commencement)

#### Proposed:

Clause 27, as amended, stand part of the Bill.

The Question was put and the Assembly divided.

**Ayes:** 54

**Noes:** 32

#### AYES

*Mr Anderson, Mr Boylan, Ms Boyle, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McElduff, Ms McGahan, Mr M McGuinness, Miss M McIlveen, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr Maskey, Mr Milne, Mr Moutray, Mr Newton, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.*

*Tellers for the Ayes: Mr Boylan and Mr McQuillan.*

#### NOES

*Mr Agnew, Mr Attwood, Mr Byrne, Mrs Cochrane, Mr Copeland, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Ford, Mr Gardiner, Mr Hussey, Mrs D Kelly, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McGimpsey, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr P Ramsey, Mr Rogers, Mr Swann.*

*Tellers for the Noes: Mr Eastwood and Mr Rogers.*

Question accordingly **agreed** to.

# Planning Bill

## Marshalled List of Amendments

### Consideration Stage

### Monday 24 June 2013

Amendments tabled up to 9.30am Thursday, 20 June 2013 and selected for debate  
The Bill will be considered in the following order-  
Clauses, Schedules and Long Title

**Amendment 1** [Negatived on division]

**Clause 2**, Page 1, Line 15

After 'improving' insert 'social'

*Mr Steven Agnew*

**Amendment 2** [Not moved]

**Clause 2**, Page 1, Line 16

Leave out sub-paragraph (c)

*Ms Anna Lo*  
*Mr Christopher Lyttle*  
*Mr Stewart Dickson*  
*Mr Kieran McCarthy*

**Amendment 3** [Negatived on division]

**Clause 2**, Page 1, Line 16

At end insert -

'(d) promoting environmental protection'

*Mr Steven Agnew*

**Amendment 4** [Negatived on division]

**Clause 2**, Page 1, Line 16

At end insert -

'(d) protecting the environment'

*Mr Tom Elliott*  
*Mr Robin Swann*

**Amendment 5** [Not moved]

**Clause 2**, Page 1, Line 16

At end insert -

'(1A) For the purposes of this Order "sustainable development" means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.'

*Ms Anna Lo*  
*Mr Christopher Lyttle*  
*Mr Stewart Dickson*  
*Mr Kieran McCarthy*

**Amendment 6** [Not moved]

**Clause 2**, Page 1, Line 19

Leave out from 'achieving' to the end of the line and insert -

'—

(a) achieving good design; and

(b) promoting shared use of the public realm between persons of different religious belief, political opinion or racial group.'

*Ms Anna Lo*  
*Mr Christopher Lyttle*  
*Mr Stewart Dickson*  
*Mr Kieran McCarthy*

**Amendment 7** [Made]

**Clause 2**, Page 2, Line 5

At end insert -

'(3) The Department must, not later than 3 years after the coming into operation of section 2(1) of the Planning Act (Northern Ireland) 2013, review and publish a report on the implementation of this Article.

(4) The Department must make regulations setting out the terms of the review.'

*Minister of the Environment*

**Amendment 8** [Not moved]

**Clause 2**, Page 2, Line 11

After 'improving' insert 'social'

*Mr Steven Agnew*

**Amendment 9** [Not moved]

**Clause 2**, Page 2, Line 12

Leave out sub-paragraph (iii)

*Ms Anna Lo  
Mr Christopher Lyttle  
Mr Stewart Dickson  
Mr Kieran McCarthy*

**Amendment 10** [Not moved]

**Clause 2**, Page 2, Line 12

At end insert -

‘(iv) promoting environmental protection’

*Mr Steven Agnew*

**Amendment 11** [Not moved]

**Clause 2**, Page 2, Line 12

At end insert -

‘(iv) protecting the environment’

*Mr Tom Elliott  
Mr Robin Swann*

**Amendment 12** [Not moved]

**Clause 2**, Page 2, Line 13

At end insert -

“(2A) For the purposes of this Act “sustainable development” means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.”

*Ms Anna Lo  
Mr Christopher Lyttle  
Mr Stewart Dickson  
Mr Kieran McCarthy*

**Amendment 13** [Not moved]

**Clause 2**, Page 2, Line 15

Leave out from ‘achieving’ to the end of the line and insert -

‘—

(a) achieving good design; and

(b) promoting shared use of the public realm between persons of different religious belief, political opinion or racial group.’

*Ms Anna Lo  
Mr Christopher Lyttle  
Mr Stewart Dickson  
Mr Kieran McCarthy*

**Amendment 14** [Not moved]

**Clause 2**, Page 2, Line 20

After ‘improving’ insert ‘social’

*Mr Steven Agnew*

**Amendment 15** [Not moved]

**Clause 2**, Page 2, Line 21

Leave out paragraph (c)

*Ms Anna Lo  
Mr Christopher Lyttle  
Mr Stewart Dickson  
Mr Kieran McCarthy*

**Amendment 16** [Not moved]

**Clause 2**, Page 2, Line 21

At end insert -

‘(d) promoting environmental protection’

*Mr Steven Agnew*

**Amendment 17** [Not moved]

**Clause 2**, Page 2, Line 21

At end insert -

‘(d) protecting the environment’

*Mr Tom Elliott  
Mr Robin Swann*

**Amendment 18** [Not moved]

**Clause 2**, Page 2, Line 21

At end insert -

‘(aa) after subsection (1), insert -

“(1A) For the purposes of this Act “sustainable development” means development that seeks to deliver the objective of achieving economic development to secure higher living standards while protecting and enhancing the environment.”;

*Ms Anna Lo*

*Mr Christopher Lyttle*

*Mr Stewart Dickson*

*Mr Kieran McCarthy*

**Amendment 19** [Not moved]

**Clause 2**, Page 2, Line 23

At end insert -

‘promoting shared use of the public realm between persons of different religious belief, political opinion or racial group; and’

*Ms Anna Lo*

*Mr Christopher Lyttle*

*Mr Stewart Dickson*

*Mr Kieran McCarthy*

**Amendment 20** [Made on division]

**New Clause**

After clause 3 insert -

**‘Economically significant planning zone schemes**

3A.—(1) In paragraph (2) of Article 2 of the 1991 Order (interpretation) after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Article 13A;”.

(2) In paragraph (2) of Article 9 of the 1991 Order (development plans) after sub-paragraph (d) insert—

“(dd) an economically significant planning zone scheme;”.

(3) After Article 13 of the 1991 Order insert—

*“Economically significant planning zone schemes*

**Economically significant planning zones**

13A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or illustrating the provisions of the scheme, and must specify—

(a) the development or classes of development permitted by the scheme;

(b) the land in relation to which permission is granted; and

(c) any conditions, limitations or exceptions subject to which it is granted;

and shall contain such other matters as may be prescribed by regulations made by OFMDFM.

(5) OFMDFM may at any time make an economically significant planning zone scheme in respect of any area or alter a scheme adopted by it in respect of any area.

(6) Articles 5, 6, 7 and 8(1) shall, subject to paragraphs (7) and (8) and with any other necessary modifications, apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as they apply to the making or alteration of a development plan by the Department.

(7) Without prejudice to the generality of paragraph (6), “prescribed” in Articles 5 and 6, in relation to the making or alteration of an economically significant planning zone scheme by OFMDFM, means prescribed by regulations made by OFMDFM.

(8) Paragraph (1) of Article 8 shall apply to the making or alteration of an economically significant planning zone scheme by OFMDFM as if, for the words from “the Department” to the end of that paragraph, there were substituted “OFMDFM may adopt the scheme or the alteration of the scheme—

(a) by order made with the consent of the Department of the Environment; or

(b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.”.

(9) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

- (10) Without prejudice to paragraph (6), OFMDFM may make regulations with respect to—
- (a) the form and content of economically significant planning zone schemes; and
  - (b) the procedure to be followed in connection with the making or alteration of such schemes.

(11) In this Article, and in Articles 13B to 13F, “OFMDFM” means the Office of the First Minister and deputy First Minister.

#### **Economically significant planning zone schemes: conditions and limitations on planning permission**

13B.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

- (a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and
- (b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development;

and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

- (a) to do anything not amounting to development; or
- (b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

#### **Duration of economically significant planning zone scheme**

13C.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme’s ceasing to have effect planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of Article 37(2) to (6) apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of Article 36(1) apply in determining for the purposes of this Article when development shall be taken to be begun.

#### **Alteration of economically significant planning zone scheme**

13D.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.

(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

- (a) the exclusion of land from the economically significant planning zone;
- (b) the withdrawal of planning permission; or
- (c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject,

has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect, and the provisions of Article 36(1) apply in determining for the purposes of this paragraph when development shall be taken to be begun.

#### **Provision of assistance by Department to OFMDFM**

13E. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under Articles 13A to 13D.

**Modifications of references to planning permission granted by the Department, etc.**

- 13F. In this Order, or in any provision made under this Order—
- (a) any reference to planning permission granted by the Department, except where prescribed by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme;
  - (b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.”.
- (4) In Article 34 of the 1991 Order (duration of planning permission), in paragraph (3), after sub-paragraph (d) insert—
- “(dd) to any planning permission granted by an economically significant planning zone scheme;”.
- (5) In Article 121 of the 1991 Order (rights of entry), in paragraph (1)(a), after head (i) insert—
- “(ia) the making or altering of a economically significant planning zone scheme relating to the land;”.
- (6) In Article 124 of the 1991 Order (planning register), in paragraph (1), after sub-paragraph (g) insert—
- “(gg) economically significant planning zones;”.
- (7) In section 19 of the 2011 Act (exclusion of certain representations), in subsection (1), after paragraph (e) insert—
- “(ee) an economically significant planning zone scheme;”.
- (8) After section 38 of the 2011 Act insert—

*“Economically significant planning zone schemes*

**Economically significant planning zones**

38A.—(1) An economically significant planning zone is an area in respect of which an economically significant planning zone scheme is in force.

(2) The adoption of an economically significant planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission for development specified in the scheme or for development of any class so specified.

(3) Planning permission under an economically significant planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

(4) An economically significant planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as OFMDFM thinks appropriate for explaining or illustrating the provisions of the scheme, and must specify—

- (a) the development or classes of development permitted by the scheme;
- (b) the land in relation to which permission is granted; and
- (c) any conditions, limitations or exceptions subject to which it is granted;

and must contain such other matters as may be prescribed by regulations made by OFMDFM.

**Making and alteration of economically significant planning zone schemes**

38B.—(1) Subject to the following provisions of this section, OFMDFM may at any time make an economically significant planning zone scheme in respect of any area or alter a scheme adopted by it in respect of any area.

(2) OFMDFM must not make an economically significant planning zone scheme in respect of any area in relation to which a simplified planning zone scheme is in force.

(3) Schedule 1A has effect with respect to the making and alteration of economically significant planning zone schemes and other related matters.

**Economically significant planning zone schemes: conditions and limitations on planning permission**

38C.—(1) The conditions and limitations on planning permission which may be specified in an economically significant planning zone scheme may include—

- (a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted; and
- (b) conditions or limitations requiring the consent, agreement or approval of OFMDFM in relation to particular descriptions of permitted development;

and different conditions or limitations may be specified for different cases or classes of case.

(2) Nothing in an economically significant planning zone scheme shall affect the right of any person—

- (a) to do anything not amounting to development; or
- (b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme;

and no limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

#### **Duration of economically significant planning zone scheme**

38D.—(1) An economically significant planning zone scheme shall take effect on the date of its adoption and shall cease to have effect at the end of the period of 10 years beginning with that date.

(2) Upon the scheme's ceasing to have effect, planning permission under the scheme shall also cease to have effect except in a case where the development authorised by it has been begun.

(3) The provisions of section 64(2) to (6) and sections 65 and 66 apply to planning permission under an economically significant planning zone scheme where development has been begun but not completed by the time the area ceases to be an economically significant planning zone.

(4) The provisions of section 63(2) apply in determining for the purposes of this section when development shall be taken to be begun.

#### **Alteration of economically significant planning zone scheme**

38E.—(1) The adoption of alterations to an economically significant planning zone scheme has effect as follows.

(2) The adoption of alterations providing for the inclusion of land in the economically significant planning zone has effect to grant in relation to that land or such part of it as is specified in the scheme planning permission for development so specified or of any class so specified.

(3) The adoption of alterations providing for the grant of planning permission has effect to grant such permission in relation to the economically significant planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.

(4) The adoption of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions forthwith.

(5) The adoption of alterations providing for—

- (a) the exclusion of land from an economically significant planning zone;
- (b) the withdrawal of planning permission; or
- (c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject.

has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption.

(6) The adoption of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun before the adoption of alterations has effect; and the provisions of section 63(2) apply in determining for the purposes of this subsection when development shall be taken to be begun.

#### **Provision of assistance by Department to OFMDFM**

38F. The Department must provide such administrative and other assistance for OFMDFM as may be necessary to enable OFMDFM to carry out its functions under sections 38A to 38E.

#### **Modifications of references to planning permission, etc., granted by the Department or councils**

38G. In this Act, or in any provision made under this Act—

- (a) any reference to planning permission granted by the Department or a council except where prescribed by regulations made by OFMDFM, includes a reference to planning permission granted under an economically significant planning zone scheme;
- (b) any reference to a condition, limitation or exception subject to which planning permission is granted, except where prescribed by regulations made by OFMDFM, includes a reference to a condition, limitation or exception subject to which planning permission is granted under an economically significant planning zone scheme.

(9) In section 61 of the 2011 Act (duration of planning permission), in subsection (3) after paragraph (e) insert—

“(ee) to any planning permission granted by an economically significant planning zone scheme;”.

(10) In section 236 of the 2011 Act (rights of entry), in subsection (1)(a), after head (ii) insert—

“(iia) the making or altering of an economically significant planning zone scheme relating to the land;”.

(11) In section 242 of the 2011 Act (planning register), in subsection (1), after paragraph (i) insert—

“(ij) economically significant planning zones;”.

(12) In section 250 of the 2011 Act (interpretation), in subsection (1), after the definition of “development order” insert the following definitions—

“economically significant planning zone” and

“economically significant planning zone scheme” shall be construed in accordance with Section 38A;”.

(13) After Schedule 1 to the 2011 Act insert—

“SCHEDULE 1A

ECONOMICALLY SIGNIFICANT PLANNING ZONES

1.—(1) Where OFMDFM proposes to make or alter an economically significant planning zone scheme it must, before determining the content of its proposals, comply with this paragraph.

(2) OFMDFM must consult the council for the area or any part of the area to which the proposed economically significant planning zone scheme relates.

(3) OFMDFM must take such steps as it thinks fit to publicise—

- (a) the fact that OFMDFM proposes to make or alter an economically significant planning zone scheme, and
- (b) the matters which it is considering including in the proposals.

(4) OFMDFM must consider any representations that are made within the prescribed period.

2. Where OFMDFM has prepared a proposed economically significant planning zone scheme, or proposed alterations to an economically significant planning zone scheme, it must—

- (a) make copies of the proposed scheme or alterations available for inspection at such places as may be prescribed,
- (b) take such steps as may be prescribed for the purpose of advertising the fact that the proposed scheme or alterations are so available and the places at which, and times during which, they may be inspected,
- (c) take such steps as may be prescribed for inviting objections to be made within such period as may be prescribed, and
- (d) send a copy of the proposed scheme or alterations to such persons as may be prescribed.

3.—(1) Where objections to the proposed scheme or alterations are made, OFMDFM may—

- (a) for the purpose of considering the objections, cause an independent examination to be carried out by—
  - (i) the planning appeals commission; or
  - (ii) a person appointed by OFMDFM: or
- (b) require the objections to be considered by a person appointed by OFMDFM.

(2) Regulations made by OFMDFM may make provision with respect to the appointment, and qualifications for appointment, of persons for the purposes of this paragraph.

(3) Any person who makes objections to a proposed economically significant planning zone scheme or proposed alterations to an economically significant planning zone scheme must, if that person so requests, be given the opportunity to appear before and be heard by—

- (a) the planning appeals commission; or
- (b) the person appointed by OFMDFM under sub-paragraph (1)(a)(ii).

4.—(1) After the expiry of the period for making objections or, if objections have been made in accordance with the regulations, after considering those objections and the views of the planning appeals commission or any other person holding an independent examination or considering those objections under paragraph 3, OFMDFM may, subject to the following provisions of this paragraph, adopt the proposed scheme or the proposed alteration—

- (a) by order made with the consent of the Department of the Environment; or
- (b) by order, a draft of which has been laid before, and approved by resolution of, the Assembly.

(2) OFMDFM may adopt the proposals as originally prepared or as modified so as to take account of—

- (a) any such objections as are mentioned in sub-paragraph (1) or any other objections to the proposals, or
- (b) any other considerations which appear to OFMDFM to be material.

5.—(1) Without prejudice to the previous provisions of this Schedule, OFMDFM may make regulations with respect—

- (a) to the form and content of economically significant planning zone schemes, and
- (b) to the procedure to be followed in connection with their preparation, adoption or alteration.

(2) Any such regulations may in particular—

- (a) provide for the notice to be given of, or the publicity to be given to—
  - (i) matters included or proposed to be included in an economically significant planning zone scheme, and
  - (ii) the adoption of such a scheme, or of any alteration of it, or any other prescribed procedural step,

and for publicity to be given to the procedure to be followed in these respects;

- (b) make provision with respect to the making and consideration of representations as to matters to be included in, or objections to, any such scheme or proposals for its alteration;
- (c) make provision with respect to the circumstances in which representations with respect to the matters to be included in such a scheme or proposals for its alteration are to be treated, for the purposes of this Schedule, as being objections made



in accordance with regulations;

- (d) without prejudice to head (a), provide for notice to be given to particular persons of the adoption of an economically significant planning zone scheme, or an alteration to such a scheme, if they have objected to the proposals and have notified OFMDFM of their wish to receive notice, subject (if the regulations so provide) to the payment of a reasonable charge;
- (e) provide for the publication and inspection of an economically significant planning zone scheme which has been adopted, or any document adopted altering such a scheme, and for copies of any such scheme or document to be made available on sale.

(3) In this Schedule, “prescribed” means prescribed by regulations made by OFMDFM.”.’

*Mr Cathal Boylan  
Mr Peter Weir*

**Amendment 21** [Negatived on division]

**Clause 6**, Page 5, Line 23

After ‘economic’ insert ‘and environmental’

*Mr Tom Elliott  
Mr Robin Swann*

**Amendment 22** [Made]

**Clause 6**, Page 5, Line 25

At end insert -

‘(1A) In that Article after paragraph (3) add—

“(4) The Department must, not later than 3 years after the coming into operation of section 6(1) of the Planning Act (Northern Ireland) Act 2013, review and publish a report on the implementation of this Article.

(5) The Department must make regulations setting out the terms of the review.”.’

*Minister of the Environment*

**Amendment 23** [Negatived on division]

**Clause 6**, Page 5, Line 30

After ‘economic’ insert ‘and environmental’

*Mr Tom Elliott  
Mr Robin Swann*

**Clause 6** [Question that Clause 6 stand part agreed on division]

*The Members listed below give notice of their intention to oppose the question that Clause 6 stand part of the Bill.*

*Mr Steven Agnew  
Ms Anna Lo  
Mr Christopher Lyttle  
Mr Stewart Dickson*

**Amendment 24** [Negatived on division]

**New Clause**

After clause 10 insert -

**‘Third party right of appeal**

**10A.** In Article 32 of the 1991 Order (Appeals) after paragraph (1) insert—

“(1A) The Department may by regulations provide for an appeal under paragraph (1) to be made by a person other than the applicant, subject to such limits as may be specified.

(1B) Regulations under paragraph (1A) shall not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”’

*Mr Steven Agnew*

**Amendment 25** [Made]

**New Clause**

After clause 12 insert -

**‘Appeal in default of planning decision**

**12AA.**—(1) In Article 33 of the 1991 Order (appeal in default of planning decision) for “or 25AA” substitute “, 25AA or 25AB”.

(2) In section 60 of the 2011 Act (appeal against failure to take planning decision) for “or 48” substitute “, 48 or 50”.’

*Minister of the Environment*

**Amendment 26** [Made on division]

**New Clause**

After clause 12 insert -

**‘Review of certain decisions**

**12A.**—(1) After Article 33 of the 1991 Order insert—

**“Review of certain decisions**

33A.—(1) This Article applies to—

- (a) any decision by the Department or OFMDFM to—
  - (i) grant or refuse planning permission;
  - (ii) grant or refuse any consent, agreement or approval of the Department or OFMDFM required by a condition imposed on a grant of planning permission; or
  - (iii) grant or refuse any approval of the Department or OFMDFM required under a development order;
- (b) any determination of an appeal under Article 32 by the planning appeals commission,

where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.

(2) Subject to paragraph (3), a decision or determination to which this Article applies shall not be subject to appeal or liable to be questioned in any court.

(3) A person aggrieved by a decision or determination to which this Article applies may, within 6 weeks of the decision being taken or the determination being made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—

- (a) the compatibility of the decision or determination with the Convention rights; or
- (b) the compatibility of the decision or determination with EU Law.

(4) The period referred to in paragraph (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.

(5) In this Article—

“the Convention rights” has the same meaning as in the Human Rights Act 1998;

“EU law” means—

- (a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and
- (b) all remedies and procedures provided by or under those Treaties.”.

(2) After section 60 of the 2011 Act insert—

**“Review of certain decisions**

60A.—(1) This section applies to—

- (a) any decision by a council, the Department or OFMDFM to—
  - (i) grant or refuse planning permission;
  - (ii) grant or refuse any consent, agreement or approval of the council, the Department or OFMDFM required by a condition imposed on a grant of planning permission; or
  - (iii) grant or refuse any approval of the council, the Department or OFMDFM required under a development order;
- (b) any determination of an appeal under section 58 by the planning appeals commission,

where the decision or determination is one which is specified in, or is of a class of decision or determination which is specified in, an order made by OFMDFM which has been laid before, and approved by resolution of, the Assembly.

(2) Subject to subsection (3), a decision or determination to which this section applies shall not be subject to appeal or liable to be questioned in any court.

(3) A person aggrieved by a decision or determination to which this section applies may, within 6 weeks of the decision being taken or the determination being made, appeal to the High Court on any question of law material to the decision or determination only where the question of law raises matters of—

- (a) the compatibility of the decision or determination with the Convention rights; or
- (b) the compatibility of the decision or determination with EU law.

(4) The period referred to in subsection (3) may be extended if, in the opinion of the High Court, there are exceptional reasons for doing so.

(5) In this section—

“the Convention rights” has the same meaning as in the Human Rights Act 1998;

“EU law” means—

- (a) all rights, powers, liabilities, obligations and restrictions created or arising by or under the EU Treaties; and
- (b) all remedies and procedures provided by or under those Treaties.”.

*Mr Peter Weir  
Mr Cathal Boylan*

**Amendment 27** [Negatived]  
**New Clause**

After clause 16 insert -

**‘World Heritage Sites**

**16A.**—(1) Before Article 50 of the 1991 Order (Conservation areas) insert—

**“World Heritage Sites**

49A(1) In exercising any powers under this Order in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—

- (a) protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and
- (b) Preserving the character and appearance of the World Heritage Site or its buffer zone.

(2) In this Article—

“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.

(2) Before section 104 of the 2011 Act (Conservation areas) insert—

**“World Heritage Sites**

103A.—(1) In exercising any powers under this Act in respect of a World Heritage Site or its buffer zone, the Department or the Planning Appeals Commission shall have regard to the desirability of—

- (a) Protecting the Outstanding Universal Value for which the World Heritage Site was inscribed on the UNESCO World Heritage List; and
- (b) Preserving the character and appearance of the World Heritage Site or its buffer zone.

(2) In this Section—

“Buffer Zone” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“Outstanding Universal Value” has the meaning set out in the ‘Operational Guidelines for the Implementation of the World Heritage Convention’;

“World Heritage Site” is a place that is inscribed on the UNESCO World Heritage List.”.

*Ms Anna Lo  
Mr Stewart Dickson  
Mr Christopher Lyttle  
Mr Kieran McCarthy*

**Amendment 28** [Made]

**Clause 20**, Page 11, Line 6

At the beginning insert -

‘( ) In Article 72 of the 1991 Order (offence where enforcement notice not complied with), in paragraph (6) after “such an offence” add “or the payment of a fixed penalty under Article 76C(2)(b) in relation to such an offence”.

( ) In Article 76A of the 1991 Order (enforcement of conditions) , in paragraph (10) after “such an offence” add “or the payment of a fixed penalty under Article 76D(2)(b) in relation to such an offence”.’

*Minister of the Environment*

**Amendment 29** [Made]

**Clause 20**, Page 13, Line 29

At end insert -

‘(3) In section 147 of the 2011 Act (offence where enforcement notice not complied with), in subsection (6) after “such an offence” add “or the payment of a fixed penalty under section 153(2)(b) in relation to such an offence”.

(4) In section 152 of the 2011 Act (enforcement of conditions), in subsection (10) after “such an offence” add “or the payment of a fixed penalty under section 154(2)(b) in relation to such an offence”.’

*Minister of the Environment*

**Amendment 30** [Made]

**Clause 25**, Page 16

Leave out line 19 and insert ‘6(1) and (1A), 7 to 12, 12AA(1), 13 to 18, 19(1) and (2), 20(1) to (4) and 21 to 24.’

*Minister of the Environment*

**Amendment 31** [Made]

**Clause 27**, Page 16, Line 31

After ‘1’ insert ‘2(1), 6(1),’

*Minister of the Environment*

**Amendment 32** [Made on division]

**Clause 27**, Page 16, Line 31

Before '15' insert '3A(1) to (6), 12A(1),'

*Mr Cathal Boylan*  
*Mr Peter Weir*

**Amendment 33** [*Negatived*]

**Clause 27**, Page 16, Line 33

At end insert -

'(1A) Sections 2(1) and 6(1) come into operation 4 months after the day on which this Act receives Royal Assent.'

*Mr John McCallister*

**Amendment 34** [*Made on division*]

**Clause 27**, Page 16, Line 35

At end insert -

'(3) Section 3A(7) to (13) and section 12A(2) come into operation on the day on which Part 3 of the 2011 Act comes into operation.'

*Mr Cathal Boylan*  
*Mr Peter Weir*

# Northern Ireland Assembly

**Papers Presented to the Assembly on  
25 June 2013**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules

**For Information Only:**

7. Written Ministerial Statements
8. Consultation Documents  
Consultation on the Personal Independent Payment assessment Moving Around Activity, June 2013 (DSD)
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 25 June 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Superannuation Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
/Air Passenger Duty (Setting of Rate) Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Water and Sewerage Services (Amendment) Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
/Budget Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13					
Budget (No. 2) Bill 21/11-15	10.06.13	11.06.13	N/A	N/A	17.06.13	18.06.13	24.06.13	
Financial Provisions Bill 22/11-15	17.06.13							
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	01.10.13					
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	01.10.13					

**2011-2015 Mandate  
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13	20.05.13	03.06.13	
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13							

/ Bill progressing by accelerated passage.

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.





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# Northern Ireland Assembly

**Monday 1 July 2013**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Public Petition

### 2.1 Public Petition – 'Save the Dickson Plan'

Mr Stephen Moutray was granted leave, in accordance with Standing Order 22, to present a Public Petition entitled 'Save the Dickson Plan'.

### 2.2 Public Petition – 'Save Envagh Primary School, Omagh; St Francis of Assisi Primary School, Castleberg; and Newtownstewart Model Primary School'

Mr Joe Byrne was granted leave, in accordance with Standing Order 22, to present a Public Petition entitled 'Save Envagh Primary School, Omagh; St Francis of Assisi Primary School, Castleberg; and Newtownstewart Model Primary School'.

### 2.3 Public Petition – 'Save Westlands Home, Cookstown'

Mrs Sandra Overend was granted leave, in accordance with Standing Order 22, to present a Public Petition entitled 'Save Westlands Home, Cookstown'.

## 3. Assembly Business

### 3.1 Motion - Extension of sitting on Monday 1 July 2013 under SO 10(3A)

**Proposed:**

That, in accordance with Standing Order 10(3A), the sitting on Monday 1 July 2013 be extended to no later than 9.00pm.

*Mr P Ramsey  
Mrs K McKeivitt*

The Question being put, the Motion was **carried** without division.

### 3.2 Motion – Membership for the Committee of the Regions

**Proposed:**

*That this Assembly nominates Ms Megan Fearon as a full member on the UK delegation to the Committee of the Regions.*

*Ms C Ruane  
Mr P Weir*

The Question being put, the Motion was **carried** without division.

## 4. Executive Committee Business

### 4.1 Statement - North South Ministerial Council meeting in Aquaculture and Marine Sectoral Format

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the North South Ministerial Council meeting in Aquaculture and Marine sectoral format, held on 3 May 2013, following which she replied to questions.

### 4.2 Statement – Public Expenditure: Provisional Outturn 2012-13 and 2013-14 June Monitoring

The Minister of Finance and Personnel, Mr Sammy Wilson, made a statement regarding Public Expenditure: Provisional Outturn 2012-13 and 2013-14 June Monitoring, following which he replied to questions.

### 4.3 Second Stage – Financial Provisions Bill (NIA 22/11-15)

The Minister of Finance and Personnel, Mr Sammy Wilson, moved the Second Stage of the Financial Provisions Bill (NIA 22/11-15).

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Financial Provisions Bill (NIA 22/11-15) passed Second Stage.

### 4.4 Legislative Consent Motion – Pensions Bill

#### **Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of clause 41 of the Pensions Bill, as introduced in the House of Commons on 9 May 2013, relating to the preparation of guidance for pensions illustrations.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 4.5 Legislative Consent Motion – Mesothelioma Bill

#### **Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of the Mesothelioma Bill.

*Minister for Social Development*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 4.6 Motion – The draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013

#### **Proposed:**

That the draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 be approved.

*Minister of the Environment*

*Debate ensued.*

*The debate was suspended for Question Time.*

## 5. Question Time

### 5.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness. The junior Minister, Ms Jennifer McCann, also answered a number of questions.

### 5.2 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Sammy Wilson.

## 6. Question for Urgent Oral Answer

### 6.1 Suspected drug-related deaths

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, responded to a Question for Urgent Oral Answer tabled by Mr Phil Flanagan.

## 7. Executive Committee Business (Cont'd)

### 7.1 Motion – The draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013

*Debate resumed on the motion.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** (Division 1).

## 8. Committee Business

### 8.1 Motion – Amend Standing Order 20

#### **Proposed:**

After Standing Order 20 insert –

'20A. Topical Questions

(1) Topical questions for a Minister shall be taken during the first 15 minutes of the time allocated for questions for oral answer by that Minister.

(2) No topical questions shall be asked of the Assembly Commission.

(3) A member who wishes to ask a topical question of a Minister at a particular sitting shall submit his or her name in advance to the Speaker who shall select 10 members by ballot.

(4) The Speaker shall determine, by means of a random selection, the order in which questions are taken.

(5) The Speaker shall inform –

(a) members; and

(b) the Ministers to whom the questions will be addressed at the sitting;

in advance, of the names and order in which questions are to be taken.

(6) Answers may not be debated, but the member asking the question may ask a supplementary question. A supplementary question may contain no more than one enquiry.

(7) Where a member is not present to ask a topical question, the Speaker shall move to the next member in accordance with the order determined under paragraph (4).

(8) Paragraphs (1)(a) and (2) of Standing Order 19 and paragraphs (2), (8A), (10) and (11) of Standing Order 20 shall apply to topical questions as they apply to questions for oral answer.'

*Chairperson, Committee on Procedures*

*Debate ensued.*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

**8.2 Motion – Amend Standing Order 10(2)(a)****Proposed:**

In Standing Order 10(2)(a) leave out 'and 20A' and insert –  
'to 20B'

*Chairperson, Committee on Procedures*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

**8.3 Motion – Amend Standing Order 19****Proposed:**

'Leave out Standing Order 19(3) and insert –

'(3) A question may be –

(a) for oral answer (see Standing Order 20);

(b) a topical question for oral answer (see Standing Order 20A);

(c) for urgent oral answer (see Standing Order 20B); or

(d) for written answer (see Standing Order 20C).'

In Standing Order 19(4) line 1, after 'question' insert –

'(other than a topical question)'

*Chairperson, Committee on Procedures*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

**8.4 Motion – Amend Standing Order 20(1)****Proposed:**

In Standing Order 20(1) leave out sub-paragraphs (a) and (b) and the hyphen immediately preceding them and insert –  
'2.00 pm and 3.30 pm on those Mondays and Tuesdays'

*Chairperson, Committee on Procedures*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

*The Speaker took the Chair.*

## 9. Private Members' Business

**9.1 Motion – Progress on North South Co-operation****Proposed:**

That this Assembly reaffirms its commitment to the ambition, values and institutions borne out of the Belfast Agreement; notes the improved working relationship between the Governments on this island including through the North South Ministerial Council and British Irish Council; welcomes the recent progress on the Narrow Water Bridge project; and calls on the Executive, in conjunction with the British and Irish Governments, to complete urgently the review of the St Andrews Agreement to allow further progress on North South co-operation in order to bring benefits to all of the people of this island.

*Mr C McDevitt*

*Mr D Bradley*

**9.2 Amendment 1****Proposed:**

Leave out all after 'Assembly' and insert:

'notes the working relationship between the Northern Ireland Executive and the Irish Government, including through the North South Ministerial Council, the British Irish Council and other bi-lateral contacts; and welcomes ongoing, practical co-operation that is beneficial to the people of Northern Ireland.'

*Mr S Moutray*

*Mr J Spratt*

*Mr P Weir*

*Mr P Givan*

**9.3 Amendment 2****Proposed:**

Leave out all after 'commitment' and insert:

'to practical cross-border co-operation, but regards the elaborate North South Bodies, established under the Belfast Agreement, as neither necessary nor value for money.'

*Mr J Allister*

*Debate ensued.*

The Question being put, Amendment No. 1 **fell** (Division 2).

The Question being put, Amendment No. 2 **fell** without division.

The Question being put, the Motion, was **carried** (Division 3).

**10. Adjournment****Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 7.15pm.*

**Mr William Hay**

**The Speaker**

1 July 2013

# Northern Ireland Assembly

1 July 2013

## Division 1

### **Motion – The draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013**

#### **Proposed:**

That the draft Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013 be approved.

*Minister of the Environment*

The Question was put and the Assembly divided.

**Ayes:** 77

**Noes:** 13

#### **AYES**

*Mr Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Ms P Bradley, Mr Brady, Ms Brown, Mr Buchanan, Mr Byrne, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dickson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Dr Farry, Mr Flanagan, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hazzard, Mr Hilditch, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Ms McCorley, Mr I McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr D McIlveen, Miss M McIlveen, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr McQuillan, Mr A Maginness, Mr Maskey, Mr Milne, Lord Morrow, Mr Moutray, Mr Newton, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Poots, Mr P Ramsey, Ms S Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Ms Ruane, Mr Sheehan, Mr Weir.*

*Tellers for the Ayes: Mr D Bradley and Mrs McKeivitt.*

#### **NOES**

*Mr Agnew, Mr Allister, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Gardiner, Mr Kinahan, Mr McCallister, Mr B McCrea, Mr McGimpsey, Mrs Overend, Mr Swann.*

*Tellers for the Noes: Mr Cree and Mr Elliott.*

The Motion was **carried**.

# Northern Ireland Assembly

1 July 2013

## Division 2

### Motion – Progress on North South Co-operation – Amendment 1

#### Proposed:

Leave out all after 'Assembly' and insert:

'notes the working relationship between the Northern Ireland Executive and the Irish Government, including through the North South Ministerial Council, the British Irish Council and other bi-lateral contacts; and welcomes ongoing, practical co-operation that is beneficial to the people of Northern Ireland.'

*Mr S Moutray*

*Mr J Spratt*

*Mr P Weir*

*Mr P Givan*

The Question was put and the Assembly divided.

**Ayes:** 30

**Noes:** 59

#### AYES

*Mr Agnew, Mr Allister, Mr Anderson, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mr Clarke and Mr G Robinson.*

#### NOES

*Mr Attwood, Mr Beggs, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Elliott, Dr Farry, Mr Flanagan, Mr Ford, Mr Gardiner, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Swann.*

*Tellers for the Noes: Mr A Maginness and Mr Rogers.*

The Amendment **fell**.

# Northern Ireland Assembly

1 July 2013

## Division 3

### Motion – Progress on North South Co-operation

#### Proposed:

That this Assembly reaffirms its commitment to the ambition, values and institutions borne out of the Belfast Agreement; notes the improved working relationship between the Governments on this island including through the North South Ministerial Council and British Irish Council; welcomes the recent progress on the Narrow Water Bridge project; and calls on the Executive, in conjunction with the British and Irish Governments, to complete urgently the review of the St Andrews Agreement to allow further progress on North South co-operation in order to bring benefits to all of the people of this island.

*Mr C McDevitt*

*Mr D Bradley*

**Ayes:** 52

**Noes:** 37

#### AYES

*Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr A Maginness and Mr Rogers.*

#### NOES

*Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Mr Clarke and Mr G Robinson.*

The Motion was **carried**.



# Northern Ireland Assembly

## **Papers Presented to the Assembly on 26 June – 1 July 2013**

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill [as introduced] (NIA Bill 26/11-15).

Planning Bill [as amended at consideration stage] (NIA Bill 17/11-15).

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Utility Regulator Annual Report 2012-13 (DETI).

Northern Ireland Transport Holding Company Annual Report and Accounts 2012-13 (DRD).

Charity Commission for Northern Ireland Annual Report and Accounts 2012-2013 (DSD).

Northern Ireland Judicial Appointments Ombudsman Annual Report 1 April 2012 to 31 March 2013 (DOJ).

Probation Board for Northern Ireland Annual Report and Accounts for the year ended 31 March 2013 (DOJ).

Northern Ireland Environment Agency Annual Report and Accounts for the year ended 31 March 2013 (DOE).

Driver and Vehicle Agency Report and Statement of Accounts for the year ended 31 March 2013 (DOE).

Parole Commissioners for Northern Ireland Annual Report 2012-2013 (DOJ).

Health and Social Care Board Annual Report & Accounts for the year ended 31 March 2013 (DHSSPS).

Public Health Agency Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS).

Western Health and Social Care Trust Annual Report and Accounts year ended 31 March 2013 (DHSSPS).

Northern Ireland Ambulance Service Health and Social Care Trust Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS).

South Eastern Health and Social Care Trust Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS).

Northern Health and Social Care Trust Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS).

Legislative Consent Memorandum Northern Ireland (Miscellaneous Provisions) Bill (DOJ).

Department of Agriculture and Rural Development Resource Accounts for the year ended 31 March 2013 (DARD).

Land and Property Services Annual Report and Accounts for the year ended 31 March 2013 (DFP).

Northern Ireland Ombudsman Annual Report 2012-2013 (OFMDFM).

Northern Ireland Statistics and Research Agency Annual Report and Accounts for the year ended 31 March 2013 (DFP).

Belfast Health and Social Care Trust Annual Report and Accounts for the year ended 31 March 2013 (DHSSPS).

Forest Service Annual Report 2012-13 (DARD).

## 5. Assembly Reports

Report on the Committee's Proposals for a Northern Ireland Public Services Ombudsman Bill (NIA 120/11-15) (Committee for the Office of the First Minister and deputy First Minister).

Review of D'Hondt, Community Designation and Provisions for Opposition (NIA 123/11-15) (Assembly and Executive Review Committee).

## 6. Statutory Rules

S. R. 2013/170 The Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 2013 (DOE).

S. R. 2013/173 The Gas and Electricity (Internal Markets) (Amendment) Regulations (Northern Ireland) 2013 (DETI).

### **For Information Only:**

S. R. 2013 Draft S. R. The Lands Tribunal (Salaries) Order (Northern Ireland) 2013 (DOJ).

## 7. Written Ministerial Statements

## 8. Consultation Documents

The Fluorinated Greenhouse Gases (Amendment) Regulations (Northern Ireland) 2013 - A Consultation Paper (DOE).

Consultation on the Rural Development Programme 2014-2020 (DARD).

## 9. Departmental Publications

Strategic Framework for Reducing Offending 2013 (DOJ).

A review of the criminal justice system's preparedness for exceptional or prolonged public disorder, June 2013 (DOJ).

## 10. Agency Publications

Strategic Investment Board Limited Annual Review and Financial Statements 2012/2013 (OFMDFM).

## 11. Westminster Publications

## 12. Miscellaneous Publications

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# Northern Ireland Assembly

Tuesday 2 July 2013

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement – Building a Prosperous and United Community

The First Minister, Rt Hon Peter Robinson, made a statement regarding Building a Prosperous and United Community, following which he replied to questions.

*The Deputy Speaker (Mr Beggs) took the Chair.*

### 2.2 Statement – Policy Planning Statement 2 – Natural Heritage

The Minister of the Environment, Mr Alex Attwood, made a statement regarding the Policy Planning Statement 2 – Natural Heritage, following which he replied to questions.

## 3. Committee Business

### 3.1 Motion: Report on the Inquiry into the Better Use of Public and Community Sector Funds for the Delivery of Transport Options

#### **Proposed:**

That this Assembly approves the Report of the Committee for Regional Development on its Inquiry into the Better Use of Public and Community Sector Funds for the Delivery of Transport Options; and calls on the Minister for Regional Development, in conjunction with his Executive colleagues and relevant bodies, to implement the recommendations.

*Chairperson, Committee for Regional Development*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

### 3.2 Motion: Report on the Review of d'Hondt, Community Designation, and Provisions for Opposition

#### **Proposed:**

That this Assembly notes the Report of the Assembly and Executive Review Committee on its 'Review of d'Hondt, Community Designation and Provisions for Opposition'.

*Chairperson, Assembly and Executive Review Committee*

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

## 4. Question Time

### 4.1 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Edwin Poots.

### 4.2 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

## 5. Committee Business (Cont'd)

### 5.1 Motion: Report on the Review of d'Hondt, Community Designation, and Provisions for Opposition

*Debate resumed on the Motion.*

The Question being put, the Motion was **carried** without division.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 6. Adjournment

Mrs Dolores Kelly spoke to her topic regarding the proposed closure of Drumcree College, Portadown.

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.08pm.*

**Mr William Hay**

**The Speaker**

2 July 2013

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 2 July 2013**

### 1. Acts of the Northern Ireland Assembly

### 2. Bills of the Northern Ireland Assembly

### 3. Orders in Council

### 4. Publications Laid in the Northern Ireland Assembly

Social Security Agency Annual Report and Accounts 2012-2013 (DSD).

Health and Safety Executive for Northern Ireland Annual Report and Statement of Accounts 1 April 2012 to 31 March 2013 (DETI).

The Compensation Agency Annual Report and Accounts 2012-13 (DOJ).

Committee on Climate Change Annual Report and Accounts 2012-13 (DOE).

Members' Contributory Pension (Northern Ireland) Fund Accounts for the year ended 31 March 2012 (Comptroller and Auditor General).

Assembly Contributory Pension Fund Accounts for the year ended 31 March 2012 (Comptroller and Auditor General).

Rivers Agency Annual Report and Accounts for the year ended 31 March 2013 (DARD).

Organised Crime Task Force: Annual Report and Threat Assessment 2013 (DOJ).

### 5. Assembly Reports

Report of the Examiner of Statutory Rules to the Assembly and the Appropriate Committees 14 June 2013 (NIA 124/11-15) (Examiner of Statutory Rules).

### 6. Statutory Rules

**For Information Only:**

### 7. Written Ministerial Statements

Potential Trust Procurement Issues (DHSSPS).

2013 Annual Report on the Concordat between the Voluntary and Community Sector and the Northern Ireland Government (DSD).

### 8. Consultation Documents

### 9. Departmental Publications

### 10. Agency Publications

### 11. Westminster Publications

### 12. Miscellaneous Publications

# Northern Ireland Assembly Legislation:

## Stages in Consideration of Public Bills

**First Stage:** Introduction of Bill.

**Second Stage:** General debate of the Bill with an opportunity for Members to vote on its general principles.

**Committee Stage (Comm. Stage):** Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

**Consideration Stage (CS):** Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

**Further Consideration Stage (FCS):** Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

**Final Stage:** Passing or rejecting of Bill by the Assembly, without further amendment.

**Royal Assent.**

## Proceedings as at 2 July 2013

### 2011-2015 Mandate

#### Executive Bills

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Marine Bill 5/11-15	21.02.12	05.03.12	06.07.12	05.07.12	30.04.13	13.05.13	21.05.13	
Superannuation Bill 6/11-15	12.03.12	26.03.12	28.09.12	26.09.12	22.10.12	06.11.12	19.11.12	10.01.13
Inquiry into Historical Institutional Abuse Bill 7/11-15	12.06.12	25.06.12	26.10.12	24.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Business Improvement Districts Bill 9/11-15	25.06.12	17.09.12	13.12.12	13.12.12	21.01.13	29.01.13	11.02.13	21.03.13
Criminal Justice Bill 10/11-15	25.06.12	03.07.12	14.12.12	13.12.12	19.02.13 & 25.02.13	12.03.13	08.04.13	25.04.13
Charities Bill 11/11-15	02.07.12	11.09.12	23.10.12	23.10.12	20.11.12	03.12.12	11.12.12	18.01.13
Welfare Reform Bill 13/11-15	01.10.12	09.10.12	19.02.13	14.02.13				
Education Bill 14/11-15	02.10.12	15.10.12	08.04.13	08.04.13				
/Air Passenger Duty (Setting of Rate) Bill 15/11-15	08.10.12	16.10.12	N/A	N/A	22.10.12	05.11.12	06.11.12	11.12.12

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Water and Sewerage Services (Amendment) Bill 16/11-15	19.11.12	27.11.12	29.01.12	23.01.13	12.02.13	25.02.13	05.03.13	25.04.13
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
/Budget Bill 18/11-15	11.02.13	12.02.13	N/A	N/A	18.02.13	19.02.13	25.02.13	14.03.13
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13					
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13					
Budget (No. 2) Bill 21/11-15	10.06.13	11.06.13	N/A	N/A	17.06.13	18.06.13	24.06.13	
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	07.10.13					
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	01.10.13					
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	01.10.13					

**2011-2015 Mandate  
Non-Executive Bills**

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Civil Service (Special Advisers) Bill 12/11-15	02.07.12	25.09.12	15.02.13	13.02.13	19.03.13	20.05.13	03.06.13	
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13							

/ Bill progressing by accelerated passage.

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.

